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March 31, 2004

TO: Supervisor Don Knabe, Chairman
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Supervisor Yvonne Brathwaite Burke
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

FROM: J. Tyler McCauley
Auditor-Controller

SUBJECT: **MANAGEMENT AUDIT OF THE AGRICULTURAL COMMISSIONER/ WEIGHTS AND MEASURES**

Attached is the management audit of the Agricultural Commissioner/Weights and Measures (ACWM). The audit was performed by Strategica under contract with the Auditor-Controller's office.

Strategica evaluated the Department's mission, operations, policies, procedures and programs to provide the basis for recommendations for improving the efficiency and effectiveness of program operations and service delivery.

Summary of Findings

The Department oversees the majority of its operations in a very positive manner and over the last several years has made improvements to strategic processes and operational and information systems. However, management should more closely evaluate the need for programs that provide little benefit to County residents; more aggressively address personnel integration challenges resulting from the merger of the Weights and Measures Bureau and the Agricultural Commissioner, which have hindered the full development of the Department's consumer protection programs; and automate field data collection processes and consolidate program databases to improve workload management. These and other challenges facing the Department are discussed in detail below.

Agency Scope/Programs

ACWM operates 14 separate programs involving crop protection, consumer protection or worker safety. Each of these programs varies widely in terms of cost, benefit, policy

considerations and mandates. Of the Department's approximately $25 million budget, approximately $4.9 million, or 20%, is covered by the County General Fund. The auditor evaluated each program's Net County Cost (NCC) and the benefit derived by the County for providing the program or service. Based on this evaluation, the auditor made recommendations for increasing the value of the programs relative to their cost or, in some cases, eliminating programs that provide relatively low value. For example, the auditor recommends ACWM implement rate increases for its pest management and Certified Farmers Market programs. In addition, the auditor recommends the Department consider terminating its Pest Detection program should the State fail to provide additional funding to the program to implement recent legislation (AB185) that requires the Department to offer permanent employment status, pay, and benefits to its seasonal Agricultural Inspector Aides. The auditor also recommends that the Department eliminate its Metrology and/or Toxicology Labs should the Labs fail to achieve full cost recovery.

Recruitment and Employee Development

The auditor noted the Department continues to face personnel integration challenges resulting from the merger in 1984 of the Weights and Measures Bureau, once a separate County agency, with the Agricultural Commissioner. Specifically, the current job specifications of an Agricultural/Weights and Measures Inspector require that inspectors have a college degree in "the agricultural or biological sciences or other appropriate disciplines." State law also requires that inspectors have a degree in a life science or physical science or other appropriate discipline. Finally, the specifications require inspectors receive licenses from the State in weight or measurement verification and an agricultural license in pest prevention and plant regulation.

Inspectors hired by the Department typically have agricultural science degrees and target the agricultural programs as career objectives. Accordingly, staff perceive the Weights and Measures programs as a place to pay their dues before moving to the agricultural programs for which staff believe they were educated and trained. The auditor noted that this institutional challenge has made it difficult to develop a strong corps of inspectors and managers in the Weights and Measures Bureau.

Although ACWM management has taken steps to mitigate and strengthen the Weights and Measures Bureau, the auditor believes a more aggressive approach is needed. Accordingly, the auditor recommends ACWM management request a waiver from the State Secretary of Food and Agriculture to modify the education requirement of the County job specifications for the Agricultural/Weights and Measures Inspector series to recognize degrees consistent with the needs of the Weights and Measures programs such as law enforcement, engineering or other sciences.

Automation of Workload Processes

ACWM programs generally use a combination of paper-based data collection processes in the field and standalone databases in the office that generally perform a specific

function and are not linked to other systems serving the same program. Most of the databases are programmed using dBase III, a database management program originally developed in the 1980s. Accordingly, the auditor recommends the use of hand held computer devices to automate the field data collection process. In addition, the auditor recommends the Department consolidate program databases where appropriate and continue to redesign existing dBase-powered databases using Microsoft Access, a software package that is widely distributed and used.

Scanner Program

In 2002, the Department implemented the Price Verification Program (i.e., Scanner Program) to manage the increasing number of overcharges by barcode scanning checkout devices. Violators are fined, although the auditor noted that for many businesses the fines are considered a cost of doing business rather than a deterrent. Retailers convicted are also required to post a sign stating "Notice of Overcharge Conviction". The conviction sign is strongly opposed by the retail industry in the County. In order to change retailer behavior, the auditor believes the County should prosecute the worst violators in court. Historically, the District Attorney has been successful in settling cases with retailers found to have multiple violations. Accordingly, the auditor recommends ACWM fund a District Attorney position dedicated to prosecuting scanner overcharges. The new position would prosecute retailers that demonstrate systemic violations of the County scanner ordinance.

Consumer Protection

At one time, all Weights and Measures inspections were performed in uniform and marked vehicles. However, the auditor noted that consumer fraud has continued to become more sophisticated and difficult to detect with the advent of microchips and computerization. This became evident during the late 1980s when a gas station operator installed computerized chips in their gas pumps to outwit the testing protocol used by the ACWM gas pump testing trucks. Grocery store operators could use similar devices in scales to overweigh purchases. By turning off the chip when a uniformed inspector arrives the device would read accurately. Accordingly, the auditor recommends more undercover inspections be performed to detect scams such as these.

Acknowledgment

On February 5, 2004, we met with ACWM's Director and Chief Deputy to discuss the report. Their initial response is attached to the report. The Department concurs with most of the findings and recommendations contained in the report and will provide a detailed response to your Board in 90 days, including a strategy to implement the recommendations.

We thank ACWM management and staff for their cooperation and assistance during this review. Please call me if you have any questions, or your staff may contact DeWitt Roberts at (626) 293-1101.

JTM:DR:TK
Attachment

c: David E. Janssen, Chief Administrative Officer
Agricultural Commissioner/Weights and Measures
Cato Fiksdal, Director
Robert Atkins, Chief Deputy
Steve Cooley, District Attorney
P. Michael Freeman, Fire Department
Lloyd W. Pellman, County Counsel
Violet Varona-Lukens, Executive Officer
Public Information Office
Audit Committee

Title

Management Audit of the Los Angeles County Department of Agricultural Commissioner / Weights and Measures

Presented to

J. Tyler McCauley
Los Angeles County Auditor-Controller

date

March 15, 2004

Management Auditing
Process improvement
Strategic planning
Performance measurement
Financial analysis
Organizational design

STRATEGICA INC.

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I. EXECUTIVE SUMMARY

Overall Assessment

A product of a 1984 merger between the Agricultural Commissioner and the Department of Weights and Measures, the Agricultural Commissioner/Weights & Measures (ACWM) is a conglomerate of programs that implements policy goals established by both the State Legislature and the County Board of Supervisors. These policy goals mostly address crop protection and consumer protection. The agency is somewhat of an enigma in the County, because it has few direct contacts with County residents and it has significant management and financial oversight from State agencies. Over the last few years, the agency has taken on, or created from scratch, new programs that further these policy goals.

The work of the ACWM is conducted mostly out in the field: inspecting vacant parcels of land, businesses, measuring devices, produce shipments, and so on. In the face of the far-flung nature of the agency's work and its history as an assemblage of new programs, initiatives and mergers, the agency has worked to build cohesion and consistency across the diverse programs.

We believe that three areas have not received adequate management attention and/or financial investment:

1. Despite efforts to foster agency-wide cohesion, there remain institutional and structural hurdles that hinder the full development of the consumer protection programs operated within the Weights & Measures (W&M) Bureau. We believe that a more aggressive approach to addressing these hurdles will result in a much stronger program;

2. Underfunded and underdeveloped workload management systems that adequately accomplish basic agency functions are steadily becoming outmoded and lack many useful features that would greatly improve program management; and

3. An information technology planning process that tacks on technology investment after the core budget is determined.

We believe that the agency and its management have the ability and energy to undertake these changes. As a first step the agency should update the existing strategic plan and business automation plan in order to incorporate the findings and recommendations found in this management audit report.

Overview of the Los Angeles County Agricultural Commissioner / Weights & Measures

The position of the Los Angeles County Agricultural Commissioner was created in 1881 to organize and coordinate programs for crop protection and promotion of agricultural products in the County. The agency absorbed the Bureau of Weights and Measures in 1984. This added substantially to the agency scope and prompted the agency's name to be changed to the Agricultural Commissioner/Weights and Measures (ACWM). Other programs have been added over the years. In 2003 the agency is responsible for:

- Regulating the pest control industry and the use of pesticides,
- Protecting the State's multibillion-dollar agriculture industry by detecting infestations of harmful pests such as fruit flies,
- Protecting consumers by ensuring that scales, gas pumps and other measuring devices, and retail checkout scanners are operating correctly,
- Ensuring that packaging, labeling and pricing practices at the retail and wholesale level are legal,
- Ensuring that fruit, produce, nursery stock and other agricultural products meet minimum standards of freshness, appearance and quality,
- Protecting buildings and structures from wildfires by ensuring that vacant lots are cleared of hazardous weeds and brush,
- Providing environmental and toxicological testing services, and
- Controlling pests such as noxious weeds and gophers.

Testing grocery counter scales

The mission of the ACWM is:

> "To provide environmental and consumer protection through the enforcement of federal and State laws and County ordinances in the areas of health, safety, and consumer concerns of County residents. The Department's highly diverse public services include: ensuring the safe and wholesome supply of food and water; protecting consumers and businesses from fraud; preventing the misuse of pesticides; pest management; pest exclusion; minimizing the fire hazard from weeds and brush; and providing consumer and agricultural information."

Staffing

ACWM has 370 budgeted positions. Staff are cross-trained across programs and rotations are made frequently. Most ACWM staff are based out of either the ACWM

headquarters in Arcadia or a separate facility in Southgate. In addition, ACWM inspectors work out of 11 field offices ranging from Malibu, San Dimas to Lancaster.

Financing

The ACWM has a budget of approximately $25 million. Of total budgeted expenditures from FY 02-03, $4.9 million or 20% is covered by the County General Fund. The remaining $20.1 million is recovered through revenues.

Accomplishments

In addition to day-to-day accomplishments, such as inspecting produce shipments, checking fruit-fly traps and doing undercover inspections, the ACWM has also implemented a number of significant improvements or fostered a positive environment:

- Consolidated inspector classes across programs to increase mobility and the ability to shift resources in response to workload demands,
- The agency also eliminated two layers of management resulting in a leaner organizational structure,
- ACWM has strong, positive relations with industry groups, the Board of Supervisors and State oversight agencies,
- ACWM is good at identifying new service demands and responding to requests; management has an entrepreneurial approach to gaining new business in fee-for-service areas,
- Agency has a strong work culture; staff identifies with the agency mission and culture,
- The ACWM is influential in Statewide professional organizations and in policy discussions affecting the agency, and
- Management is proactive in investigating and/or adopting new technology.

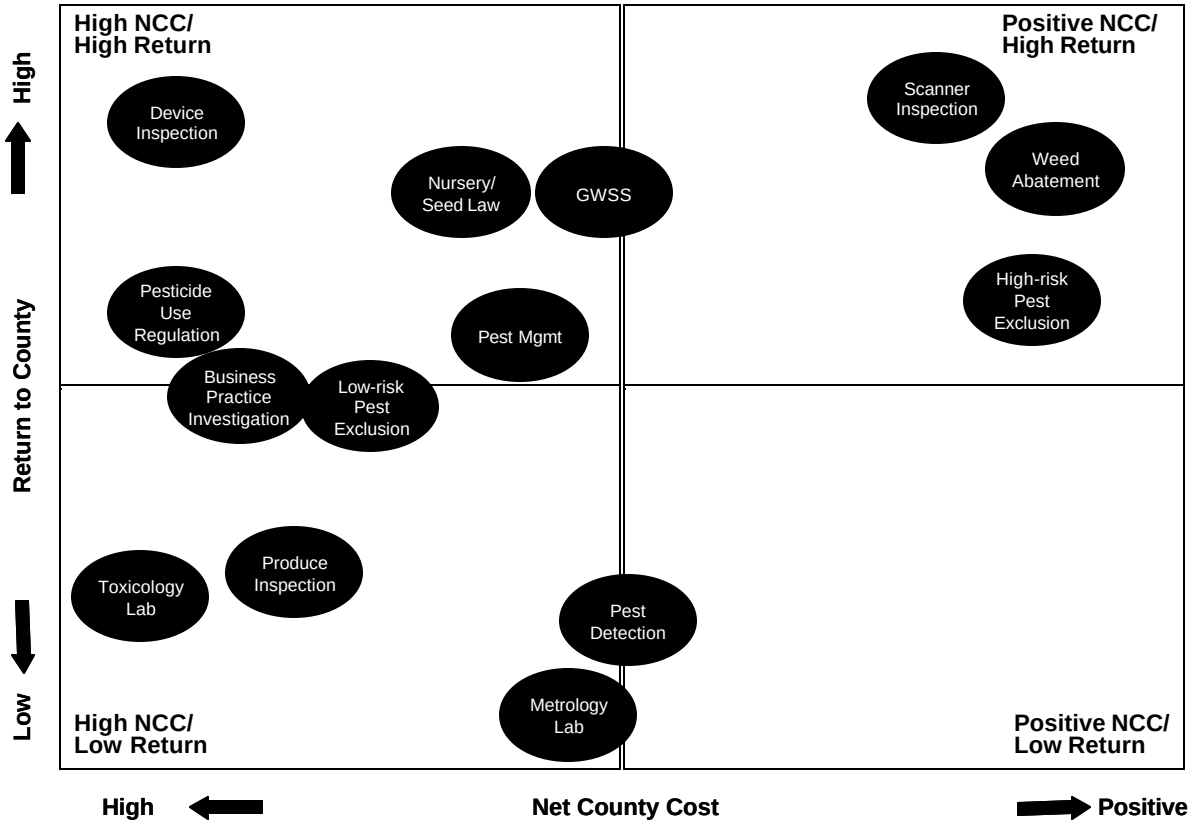
Findings and Recommendations

Agency Scope

ACWM programs vary widely in the costs, benefits, policy considerations and mandates that drive the programs. In light of the number of separate programs and the variety of financing and benefit options, we have prepared a graphical representation of the relative position of each program using two general criteria:

1. The amount of Net County Cost (NCC) experienced in each program; and

2. The benefit provided to County residents and/or the level of mandate (including level of service) accorded the County.



Return = direct benefits to County residents/businesses AND service cannot be easily procured elsewhere OR program is mandated

Recommendations

Implement rate increases to ensure full cost recovery
Increase rates charged by the pest management and Certified Farmers' Market programs. These rates can be changed by the Board of Supervisors.

Consider eliminating Pest Detection services.
Should the State fail to provide additional funding to the Pest Detection program once the details of AB185 are implemented, the County should terminate this program and turn over management to the State.

Increase rates or consider eliminating the Metrology Lab.
The Metrology Lab is currently not certified to perform many tests. The lack of certification has resulted in many of the lab's private-sector, fee-paying customers going elsewhere. Following a reasonable period of time after the lab regains certification, should this fee-paying business not return, the County should consider eliminating the lab. Other alternatives exist for certifying standards including the State Metrology Lab or private-sector labs.

Analyze and modify rates for the Toxicology Lab; Consider merging the Toxicology Lab with the Public Health Laboratory operated by DHS.
Toxicology Lab rates should be analyzed by a laboratory management specialist. Should the lab continue to fail to achieve full cost recovery, the ACWM should implement a modern cost accounting and billing system and measure cost recovery by type of test. The ACWM should then reduce the scope of the lab by eliminating low-cost recovery tests and eliminating redundant testing equipment. The County should also consider merging the Toxicology Lab with the Public Health Laboratory (PHL) operated by the Department of Health Services (DHS). The County may realize scale economies in administration, equipment utilization and acquisition, materials purchasing, and staffing by merging the two laboratories. A window of opportunity in this regard will exist while the PHL is relocating to new facilities in Downey.

Consumer Protection

The consumer protection programs operated by the Weights and Measures (W&M) Bureau include:

> **Scales and Meters (or Devices)** – This division tests the accuracy of scales and meters such as gasoline pumps, grocery counter scales and utility meters.
>
> **Price Verification** – This division tests the accuracy of checkout scanners in all retail locations in the County that use these machines. This division is also known as the Buyer Beware program created in 2002.
>
> **Business Practice Investigation (BPI)** – While often working undercover, this division ensures that packaging, pricing and labeling offered by retailers, wholesalers, gas stations and distributors are accurate and not misleading.
>
> **Metrology Lab** – This division comprises a fully equipped Metrology Lab for testing meters, scales, vessels and other measuring equipment. The lab is the only county-operated facility of its kind in the country.

Despite efforts to foster agency-wide cohesion, there remain institutional and structural hurdles that hinder the full development of the consumer protection programs operated within the W&M Bureau. These hurdles have made it difficult to build up a strong corps of inspectors and managers and effective systems to run the programs. ACWM management is aware of these problems and has taken steps to mitigate and to

strengthen the W&M Bureau. We feel an even more aggressive approach is needed to bring the Bureau up to the level of the rest of the agency.

Recruiting and employee development

One of the biggest hurdles to building up the Bureau is the classification system used for the Agricultural/Weights & Measures Inspector series, the backbone of the agency staff. The job specifications require that inspectors have a college degree in "the agricultural or biological sciences or other appropriate disciplines." State law also requires that Agricultural/Weights & Measures Inspectors have a degree in a life science or physical science or other appropriate discipline.[1] Furthermore, the specifications require that inspectors receive licenses from the State in weight or measurement verification and an agricultural license in pest prevention and plant regulation.

Inspection staff that are hired typically have agricultural science degrees and target the agricultural programs as career objectives. Staff that work within the W&M programs, usually as part of a rotation, perceive their tenure within the Bureau as a way station before moving to the other bureaus. Anecdotal evidence suggests that younger staff consider the work in the W&M Bureau to be beneath their experience and education. The nature of the work in the W&M Bureau is more akin to law enforcement and mechanical engineering than it is to agricultural science, yet these disciplines are not reflected in the educational requirements.

Program management

Three of the four managers within the W&M Bureau have no experience working as W&M inspectors. Rotating in managers from the agricultural programs rather than growing them within the W&M programs, reinforces the impression that the dominant career advancement track at the agency is not within the W&M Bureau.

These hurdles are further reinforced because top ACWM management and most of the administrative support functions are physically located in Arcadia, while the W&M Bureau is based out of the Southgate facility.

BPI inspector testing the weight of coffee sold by weight (quantity control audit)

Mission focus

A final issue to consider is the name of the Weights and Measures Bureau. This name is not entirely accurate as a good portion of the inspections that occur do not involve either weighing or measuring devices. The scanner unit has become a major part of the Bureau's portfolio, but it involves computers and optical devices rather than measuring equipment. The common theme of all the W&M programs is consumer

[1] Food and Agriculture Code section 2101 et seq.

protection. Not only does this term more accurately describe the work conducted it is also more closely linked to the ultimate mission of the Bureau than "Weights and Measures."

Effectiveness of the scanner program

Retailers that commit violations typically pay the fine rather than challenge the violation in court. For many of these businesses the fines are merely a cost of doing business rather than a deterrent. They rationalize that it would cost much more to make a concerted effort to remove stale price tags and expired sale tags than the cost of the fine.

Historically, if a retail chain was found to have multiple violations a case was prepared by the District Attorney and a criminal indictment was prepared. Multimillion-dollar penalties and injunctive relief[2] have been won in these cases. According to the District Attorney about 15 of these cases have been brought in during the past 20 years.[3]

With the advent of the Buyer Beware program a new penalty has been introduced. Stores that are convicted, whether through a trial or merely paying a fine, are now required to post a sign next to the front door of the business that states in bold letters: NOTICE OF OVERCHARGE CONVICTION.[4] This new requirement is vehemently opposed by the retail industry in the County.

The big challenge for the County is determining what combination of remedies will force retailers to take the annoying but necessary steps to prevent scanner overcharges. Assessing fines and posting signs may not be enough of a deterrent.

Recommendations

Request a waiver to change the County job specifications for the Agricultural/Weights & Measures Inspector series.
The ACWM should request a waiver from the Secretary of Food and Agriculture to modify the education requirement of the County job specifications for the Agricultural/Weights & Measures Inspector series to recognize degrees consistent with the needs of the Weights & Measures programs, such as law enforcement, engineering or other sciences.

We acknowledge that State law requires Agricultural/Weights & Measures Inspectors to have certain eligibility certifications to work in agricultural inspection programs. We recommend that a complementary skills database be maintained identifying the certifications and educational backgrounds of all Agricultural/Weights & Measures Inspectors, to ensure that inspectors assigned to agricultural programs have the requisite backgrounds and skills. The same should be done for weights & measures.

Build up the manager pool within the Weights & Measures Bureau.
The ACWM should aggressively identify and prepare Agricultural/Weights & Measures Inspector II and III level staff for supervisorial and manager-level positions in the W&M Bureau. As much as possible, these individuals should stay within the Bureau and not

[2] Injunctive relief refers to stipulations that the business take actions such as train employees to remove stale price tags.
[3] Inspecting scanners predates the formation of the Buyer Beware program. Prior to the creation of this program, scanners were checked by the BPI unit but the inspection effort was not as systematic as it is now.
[4] The sign was modeled on the County's restaurant grading signs (e.g., A through F depending on the level of cleanliness).

rotate out to other parts of the agency. As these individuals mature as supervisors (e.g., Ag/W&M Inspector III positions) they should be promoted into Division Deputy positions.

Furthermore, top ACWM managers should establish more of a physical presence at the Southgate facility by spending one or two days a week meeting with W&M managers and staff. An even more aggressive but positive strategy would be to acquire more space in the Arcadia headquarters building and/or adjacent buildings and relocate the W&M Bureau to Arcadia.

Change the name of the Weights & Measures Bureau.
The ACWM should change the name of the Bureau to the Commercial Integrity Bureau so that the name better reflects the mission of the Bureau and provides a greater focus for staff.

Prosecute retailers demonstrating systemic scanner overcharges.
The District Attorney should add, and the ACWM should fund from program revenues, a Deputy District Attorney position dedicated to prosecuting scanner overcharges. This new position would prosecute retailers that demonstrate systemic violations of the County scanner ordinance.

Workload Management

ACWM programs generally use a combination of paper-based data collection processes in the field and standalone databases in the back office. Most of the databases are programmed using dBase III, a database management program originally developed in the 1980s. ACWM databases are mostly standalone systems that perform a specific function and are not linked to other systems serving the same program. These limitations result in inefficient processes, exposure to catastrophic loss of data, and limited effectiveness in accomplishing agency goals.

Field data collection

All field inspection programs rely on the use of paper forms for capturing data in the field. These paper forms become source documents used in updating databases regarding inspection findings or as evidentiary documents in the event that inspected businesses or property owners are prosecuted or, vice versa, the property owner or business sues the County.[5]

While the use of paper forms is by no means uncommon it does have several disadvantages:

1. Information is usually captured twice: 1) when the event or condition (e.g., a scanner overcharge) is observed and documented on the form; and 2) when the information is then transcribed from the form into some database or computer system. This duplication adds time and cost to the overall process;
2. Functions such as mathematical calculations must be performed by hand and then transcribed onto the paper forms.

[5] For example, if a property owner sues over a dispute involving assessing weed clearance fees.

3. Paper forms, either blank or full of information, are susceptible to damage or loss; and
4. The cost of printing, storing, issuing, collecting, tracking and archiving paper forms is much higher.

No backup for paper records

A significant amount of information captured on paper forms in the field is never transferred to a computerized database. Instead the information is maintained only on the original paper forms. Examples include the inspection and clearance records for weed abatement and the inspection history (e.g., district cards) for scales and meters. Maintaining important data with paper records exposes the agency to catastrophic loss of data through a fire or a false fire alarm that would trigger sprinklers. Water damage can be just as debilitating as fire damage.

The department does perform regular backups of computerized databases, but there is no practical way to back up paper-based records particularly since those records are updated on a daily basis during field inspections.

Database software

Most of the back office systems rely on dBase III. dBase was originally produced and marketed in the early 1980s. Although the package is still available today, it has been eclipsed by other database management tools such as Microsoft Access. The ACWM database programs written in dBase mostly date from the late 1980s or early 1990s. In the past few years the agency has relied more on MS-Access and is steadily converting older databases written on dBase to the MS-Access platform.

Scanner inspector preparing paperwork during an inspection

A significant advantage of MS-Access is that the package is widely distributed and used. It is much easier to find and recruit staff that have used Access. It is also much easier to find IT professionals and contractors that can create and/or modify a database program using Access. Despite whatever technical advantages dBase III has over Access it is getting more difficult every year to find capable people that understand the dBase package as it becomes more obscure.

Management reporting

Besides serving as a repository of activity and findings from the agency's inspection activities, workload management systems can also provide many useful functions for management. These functions include:

- Tracking inspection backlogs – how many inspections are overdue given statutorily mandated or agency-specified inspection frequencies
- Aging of accounts receivable

- Aging of overdue inspections
- Tracking of complaints and follow-up
- Productivity statistics such as inspections per day or hour
- Status of violations and follow-up
- Program economics such as direct revenues and costs

The existing workload management systems contain some of these features, but they usually require customized report writing skills or they have to be addressed by the IT staff. In our review there was very little readily available management information. The systems are mostly designed to provide statistical data required by CDFA[6] and CDPR[7] as a condition of inter-agency agreements and funding formulas. These data mostly addressed workload volumes and inspector hours.

Recommendations

Consolidate the W&M databases.
The W&M Bureau should consolidate all W&M program databases using the existing scanners database as a platform. This would accomplish:

- The modernization of the Devices and BPI workload management systems
- A better overall record of the performance of each regulated business
- Easier rotation of inspectors among W&M programs

In addition, the programs should implement hand held computer devices to automate the field data collection process. Estimated cost: $50,000 to $100,000 for database consolidation only. Hand held computers cost is estimated to be $100,000 to $200,000.

ACWM should investigate the KIVA system for the weed hazard program.
The ACWM should contact the County CIO, the Department of Public Works and Accela to evaluate the possibility of adapting the KIVA system[8] for use in the Weed hazard program. The system would have to be modified and linked to the County Assessor and T&TC so that parcel owners can continue to be billed as part of the property tax system. The system would be able to replace the current system of parcel worksheets, hazard complaints, inspection history and clearance time and materials used. The KIVA system should be able to link to the County GIS. The ACWM should also purchase and deploy hand held computers to collect and manage data in the field. Accela has successfully adapted the KIVA system for use on hand held computers. Estimated cost: $200,000 to $300,000.

Continue to reengineer existing pesticide use databases in Access.
The ACWM should continue to redesign the existing dBase-powered databases using MS-Access. As with the other ACWM programs, the agency should also migrate to hand held computer devices for this program.

[6] California Department of Food and Agriculture
[7] California Department of Pesticide Regulation.
[8] This system has been dubbed eDAPTS in Los Angeles County.

IT Planning

The Management and Technical Services Division within ACWM (i.e., the IT department) produces an annual Business Automation Plan (BAP) that ties IT initiatives to ACWM business goals and the County's overall strategic goals. The plan also lists and costs out specific IT projects incorporated within the plan. The division also produces an annual "wish list" of IT infrastructure investments. This wish list may have an informal connection to the BAP. From this wish list specific projects or initiatives are funded by ACWM executives, subject to budget availability. This informal approach to IT investment may result in a scattershot approach to improving the many IT deficiencies found throughout the agency. A more systematic ranking of IT projects to fund based on strategic need and risk would be a more appropriate way to invest in IT infrastructure. In addition, there should be a direct, causal link between the BAP and the agency budget. The BAP should drive budget requests rather than merely picking off items from a wish list to fund.

Recommendations

Follow a more systematic approach to IT investment.
The ACWM should adopt a more rigorous, systematic approach to IT investment. The BAP should be prepared on an annual basis prior to the annual budget development cycle. The BAP should be prioritized to emphasize projects that match up with strategic goals or mitigate more serious operational risks. The modernization of the W&M workload management system should be at the top of that list. The BAP should be reviewed and signed off by all the Bureau Chiefs and then used to develop specific budget requests.

Other Issues

Pest Detection

A long-running issue in Pest Detection has been the use of the seasonal Agricultural Inspector Aides. Although these Inspector Aides are ostensibly seasonal workers, many are employed most of the year. As with many other County agencies that employ large numbers of part-time or seasonal workers in nearly a permanent status, the collective bargaining units representing these workers have advocated for granting benefits normally associated with permanent staff. In this case, AFSCME[9] successfully lobbied for a bill in the State Legislature that will place great pressure on the County in this regard.

In 2003, Assembly Bill 185 (Horton) was signed into law by then-Governor Gray Davis. AB185 obligates the County to offer permanent employment status, pay and benefits to Seasonal Agricultural Inspector Aides employed by the ACWM effective July 1, 2004. Should the County not provide this pay and benefits, the legislation requires the State to terminate the agreement with the County for operating the Pest Detection program. Furthermore, the legislation prohibits the State from paying the costs of this additional pay and benefits leaving it up to the County to absorb the costs.

Currently, the ACWM employs 60 of these seasonal aides. Providing permanent status will cost the County approximately $1.1 million per year. Since the Pest Detection program

[9] American Federation of State and County Municipal Employees, the bargaining unit for most of ACWM's represented employees.

has no dedicated revenue source these costs will have to be borne by the County's General Fund.

Red Imported Fire Ants

Until recently, ACWM operated a program to eradicate the Red Imported Fire Ant (RIFA). These ants have migrated into Southern California in recent years and pose a real nuisance to area residents. RIFA are similar to Africanized Honey Bees (aka Killer Bees) in that they are aggressive in protecting their territory and exhibit mass attack behaviors. RIFA can attack and bite their victims and the effect can be excrutiatingly painful.

In recent years, the ACWM has operated a State-funded program to track infestations of RIFA and eradicate them. Nearby counties have also operated similar programs. Eradicating this nuisance is a long-term effort but, unfortunately, the State dropped funding for the program during the recent budget crisis. The Los Angeles County RIFA program was then dropped for lack of funding.

Unfortunately, without a concerted and systematic effort to eradicate RIFA the established colonies will slowly spread throughout the region. Private-sector pest control companies have capabilities to eradicate or control individual colonies, but only respond to service calls from residents. They do not, and probably cannot, conduct a systematic, region-wide effort to eradicate RIFA entirely.

Recommendations

Consider policy options for Pest Detection.
Prior to July 1, 2004, the ACWM, in conjunction with the Chief Administrative Officer, will have to consider the policy options for the program:

1. Negotiate a more favorable funding option with AFSCME and lobby for an amendment to the legislation;
2. Provide General Fund transfers to ACWM to pay for additional benefits potentially totaling $1 million; or
3. Allow the current Pest Detection agreement with the State to lapse and discontinue operating the program at the County.

Consider policy options for RIFA eradication.
The ACWM, in conjunction with the Chief Administrative Officer, should consider the following policy options for RIFA eradication:

1. Provide funding from the County General Fund to continue the RIFA program at FY 02-03 levels (e.g., $1.1 million);
2. Provide funding at a lesser level; or
3. Allow the program to sunset. Consider options for resurrecting the program at a future date.

II. INTRODUCTION

Description of the Agricultural Commissioner/Weights & Measures

The position of the Los Angeles County Agricultural Commissioner was created in 1881 to organize and coordinate programs for crop protection and promotion of agricultural products in the County. During the late 19th and early 20th century, agriculture was the dominant industry in the County. Obviously, in the last 120 years the County has become highly urbanized and Los Angeles now anchors the sixth biggest metropolitan area in the world. During this time the agency has evolved and adapted to meet the changing needs of County residents. The agency absorbed the Bureau of Weights and Measures in 1984. This added substantially to the agency scope and prompted the agency's name to be changed to the Agricultural Commissioner/Weights and Measures (ACWM). Other programs have been added over the years. In 2003 the agency is responsible for:

- Regulating the pest control industry and the use of pesticides,
- Protecting the State's multibillion-dollar agriculture industry by detecting infestations of harmful pests such as fruit flies,
- Protecting consumers by ensuring that scales, gas pumps and other measuring devices, and retail checkout scanners are operating correctly,
- Ensuring that packaging, labeling and pricing practices at the retail and wholesale level are legal,
- Ensuring that fruit, produce, nursery stock and other agricultural products meet minimum standards of freshness, appearance and quality,
- Protecting buildings and structures from wildfires by ensuring that vacant lots are cleared of hazardous weeds and brush,
- Providing environmental and toxicological testing services, and
- Controlling pests such as noxious weeds and gophers.

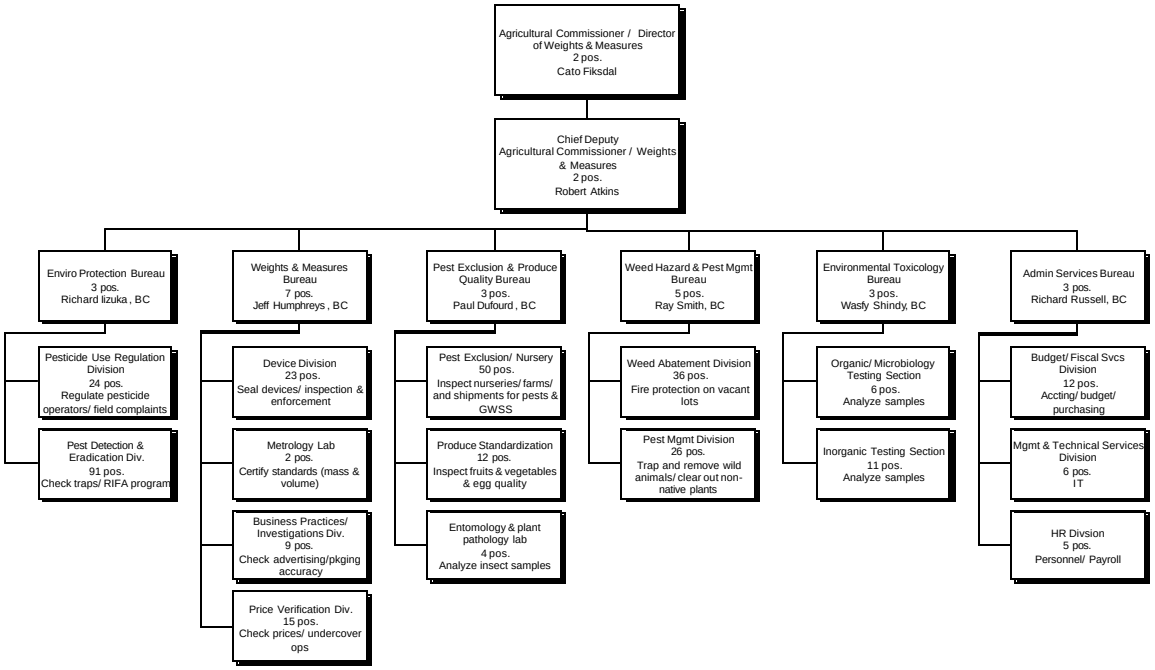
The mission of the ACWM is:

> "To provide environmental and consumer protection through the enforcement of federal and State laws and County ordinances in the areas of health, safety, and consumer concerns of County residents. The Department's highly diverse public services include: ensuring the safe and wholesome supply of food and water; protecting consumers and businesses from fraud; preventing the misuse of pesticides; pest management; pest exclusion; minimizing the fire hazard from weeds and brush; and providing consumer and agricultural information."

ACWM Organization

ACWM is organized into "Bureaus" with each Bureau focusing on a broad area of regulatory activity. The five core Bureaus are: Environmental Protection, Weights & Measures, Pest Exclusion and Product Quality (PEPQ), Weed Hazard and Pest Management, and Environmental Toxicology. Each Bureau is led by a Bureau Chief. A sixth Bureau oversees administrative functions. Within each Bureau are two to four Divisions. Each Division is analogous to a specific program but some Divisions, such as Pest Exclusion/Nursery have several programs. Given the variety of programs and regulated industries the agency has managed to instill quite a bit of overall cohesion and consistency. For example, all inspectors work within the same job series and are rotated often. Another unique aspect of the agency is the fact that it is organized in a similar manner as the California Department of Food and Agriculture (CDFA). In fact, CDFA has direct oversight over many of the ACWM programs. In many ways, some of the ACWM programs operate more as an arm of State government rather than a part of the County organization. The organization is structured as follows:

Figure 1: Current Organizational Structure



Most ACWM staff are based out of either the ACWM headquarters in Arcadia or a separate facility in Southgate. In addition, ACWM inspectors work out of 11 field offices ranging from Malibu, San Dimas to Lancaster.

Staffing

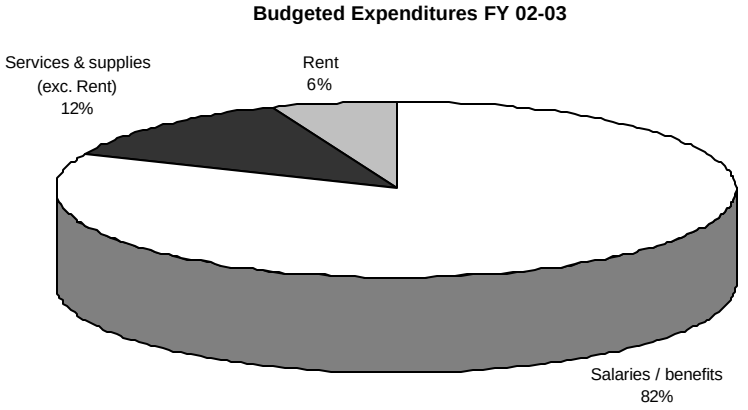
ACWM has 370 budgeted positions. Most of the positions encompass the Agricultural/Weights & Measures Inspector job series. These positions require a college degree in biology, agricultural science or another life or physical science. Many other

positions are in the Agricultural Inspector Aide series and do not require a degree. Staff are cross-trained across programs and rotations are made frequently.

Financing

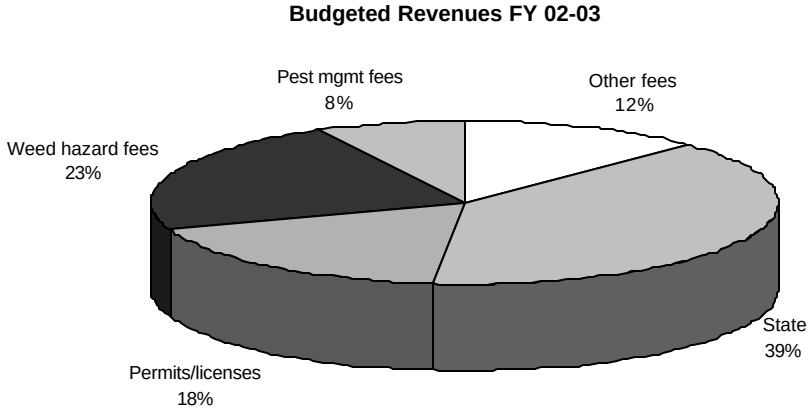
The ACWM has a budget of approximately $25 million. The following pie chart shows the breakdown of this amount:

Figure 2: ACWM Expenditures



Of total budgeted expenditures from FY 02-03, $4.9 million or 20% is covered by the County General Fund. The remaining $20.1 million is recovered through revenues.[10] The following pie chart shows a breakdown of these revenue sources:

Figure 3: ACWM Revenue Sources



[10] Other fees includes Toxicology/Metrology Lab fees, produce inspection fees and low-risk pest inspection fees. Permits and licenses are mostly related to annual permits and licenses for scanners, gas pumps, scales and other measuring devices.

Depending on the program, fee levels are set by the agency, the Board of Supervisors through ordinance or by the State Legislature through statute.

Figure 4 shows the trend in actual departmental budget allocation, net county cost (NCC) and revenues over the past five fiscal years. Figure 5 shows the trend in budgeted headcount over the same period:

Figure 4: Financing Trends

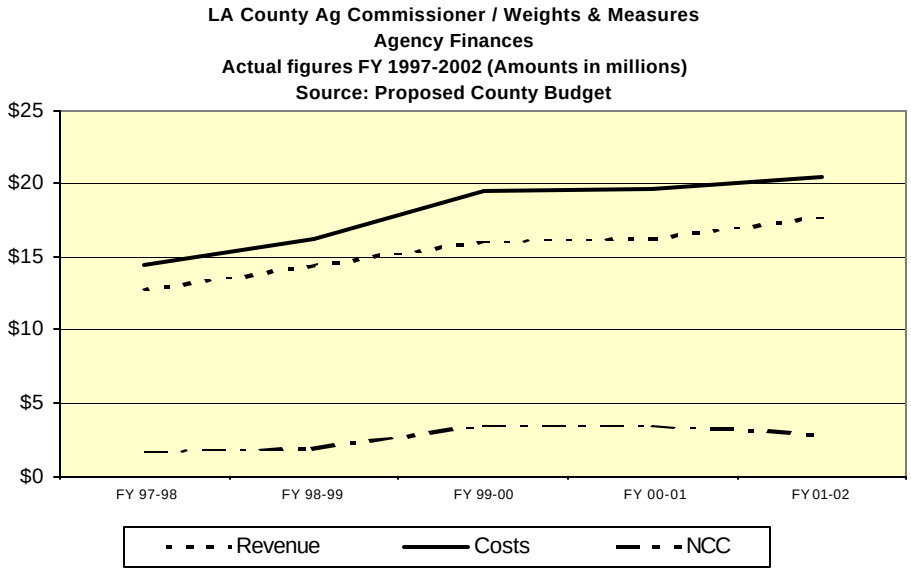
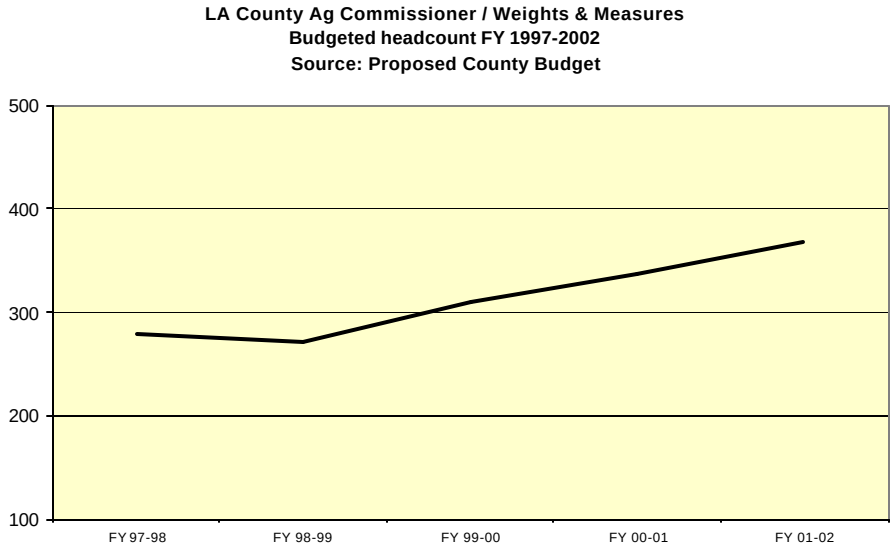


Figure 5: Headcount Trends



NCC at the ACWM generally ranges from $1 million to $4 million. The actual amount is highly dependent on State fiscal policies regarding unclaimed gas tax revenues. As these revenues are allocated to the County, State-supported programs are better funded and less NCC is required to maintain services levels.

Accomplishments

In addition to day-to-day accomplishments, such as inspecting produce shipments, checking fruit-fly traps and doing undercover inspections, the ACWM has also implemented a number of significant improvements or fostered a positive environment:

- Consolidated inspector classes across programs to increase mobility and the ability to shift resources in response to workload demands,
- The agency also eliminated two layers of management resulting in a leaner organizational structure,
- ACWM has strong, positive relations with industry groups, the Board of Supervisors and CDFA,
- ACWM is good at identifying new service demands and responding to requests; management has an entrepreneurial approach to gaining new business in fee-for-service areas,
- Agency has a strong work culture; staff identifies with the agency mission and culture,
- The ACWM is influential in Statewide professional organizations and in policy discussions affecting the agency, and
- Management is proactive in investigating and/or adopting new technology.

Project Objectives

This audit was commissioned by the Board of Supervisors in the interest of ensuring the efficient and effective operation of County government. The objective of the project is to:

> ". . . evaluate [the] mission, operations, policies, procedures and programs to provide the basis for recommendations for improving the effectiveness and efficiency of program operations and service delivery."

Project Scope

The scope of the project included the entire operation of the ACWM with the following exceptions:

- Accounting and financial areas such as cash management, accounts receivable controls, overtime use and procurement practices. These areas are the subjects of a prior Fiscal Management Review conducted by the Los Angeles Auditor-Controller.

Though the time frame of the audit was not limited, for the purposes of the consultant's work, operational and financial data was generally obtained and used from approximately 1997 forward. Most of the findings relate to current conditions as of October 31, 2003.

Standards Used

The consultants conducted this management audit in accordance with general and performance audit standards regarding qualifications, independence, due professional care, quality control, fieldwork, and reporting prescribed by the U.S. General Accounting Office (GAO) in Government Auditing Standards (1994 Revision).

Methods Used

The management audit was conducted in three phases:

Phase A – Preliminary Survey. In the preliminary survey phase, the consultants held an entrance conference; gathered information about the ACWM program operations; developed a profile of the ACWM; prepared a risk assessment; and developed a detailed workplan for the subsequent fieldwork phase of the project.

An essential part of the preliminary survey was obtaining the views of key internal and external stakeholders. The consultants conducted over 40 interviews of County staff, ACWM staff and outside observers and stakeholders. These stakeholders included representatives from:

- State agencies such as CDFA,
- Industry groups such as retailer, nursery grower and pest control operator associations,
- Other County agencies such as the District Attorney and the Fire Department, and
- The County Board of Supervisors.

The consultants also conducted a review of pending legislation and litigation that may impact the operations or financial integrity of the ACWM.

Phase B – Fieldwork. In the fieldwork phase, the consultants performed the tasks incorporated in the Phase B workplan. These included:

- Benchmarked ACWM performance against peer agencies,
- Evaluated the scope of the agency and the costs and benefits of each program,

- Evaluated the efficacy of each program (are programs helping to accomplish the agency mission?),
- Evaluated workload management systems including manual and automated system elements,
- Determined the timeliness of each program's performance and backlog levels,
- Evaluated the data collection practices and technology used in the field,
- Evaluated financial management systems used for billing in fee-for-service programs,
- Assessed information technology planning,
- Identified performance measures for use by the agency, and
- Evaluated human resources practices and planning.

At the conclusion of Phase B, the consultants presented preliminary findings and recommendations to the Auditor-Controller project managers as well as ACWM executive management.

Phase C – Reporting Phase. In this phase, the consultants prepared a draft final report, conducted an exit conference with ACWM and Auditor-Controller staff and finalized the report.

III. FINDINGS AND RECOMMENDATIONS

Section A – Agency Scope

ACWM operates 14 separate programs:

1. High-risk Pest Exclusion
2. Low-risk Pest Exclusion
3. Glassy-Winged Sharpshooter (GWSS)
4. Produce Inspection
5. Nursery/Seed Law
6. Pest Detection
7. Pesticide Regulation
8. Devices
9. Business Practices Investigation
10. Price Verification
11. Weed Hazard Abatement
12. Pest Management
13. Environmental Toxicology
14. Metrology Lab

These programs are described in the Introduction chapter of this report and again in various sections of these Findings and Recommendations.

The common work-related features of these 14 programs are crop protection, consumer protection or worker safety. Most of the programs also entail fielding inspectors, noting compliance violations and managing inspection and violation records.

Another common factor is that the organization of the ACWM mirrors the organization of the California Department of Food and Agriculture (CDFA). Most ACWM divisions have a counterpart division within CDFA. Exceptions include Pesticide Regulation which is overseen by the California Department of Pesticide Regulation (CDPR), and Weed Hazard

Abatement and Pest Management which are County programs that have no corresponding State entity. Many ACWM programs are so closely aligned with either the CDFA or CDPR that the County agency functions more as a local arm of the State agency, with almost no oversight from the County other than local supervision from the ACWM and some budget support from the County.

Because the ACWM is so closely aligned with State agencies and there is little direct contact with constituents, the ACWM programs can be something of an enigma to residents and County administration. This section provides some general guidance about the programs and observations about their relative benefits to the County. This section concludes with recommendations for increasing the value of the programs relative to their cost or, in some cases, winding down programs that provide relatively low value.

Various levels of mandate

All of the ACWM programs have some level of authorization either at the State or County level. Some programs have specific service levels whereas others have more leeway. Programs with strict mandates on service levels include:

- High-risk pest exclusion
- Pesticide regulation
- Low-risk pest exclusion
- Glassy-winged sharpshooter inspections

Programs that are mostly optional for the County include:

- Pest detection
- Produce inspection
- Weed hazard abatement
- Pest management
- The Metrology and Toxicology Labs

Other programs are mandated but with optional levels of service provided. Some counties have opted out of some of these programs altogether. For example, several counties have opted out of pest detection, especially as the portion of program costs borne by counties has increased in recent years. In the case of the Metrology Lab, Los Angeles County is unique in that it is one of the few counties nationwide that even provides these services. In all other areas of the Country, state governments provide metrological testing.

Various levels of benefit:

All of the ACWM programs provide benefits. Differences arise in the degree of benefits and who benefits. In some cases, benefits accrue to residents or industries outside the County. In these cases, it is important to ensure that County residents are not bearing the program costs. An example of this is pest detection and pest exclusion services. The beneficiaries of these programs are almost exclusively agricultural producers and marketers, most of whom are located elsewhere.[11] No one doubts the overall benefits of controlling destructive pests, but these problems are statewide in scope and, in fact, are organized and funded on a Statewide basis.

Other programs have a direct and measurable benefit to County residents. The Price Verification and Scale/Meter (devices) programs provide direct local benefit. Weed hazard and pest management also directly benefit local residents.

Financial support

ACWM programs operate with different levels of financial support from the County. With a few exceptions, such as GWSS or Pest Detection, all programs are supported through user fees or inspection fees. About half of the programs have some level of General Fund support. The Toxicology Lab and Produce Standardization require the highest level of General Fund support. A detailed description of the financing and authority of each program is found in Appendix 3.

In light of the number of separate programs and the variety of financing and benefit options, we have prepared a graphical representation of the relative position of each program using two general criteria:

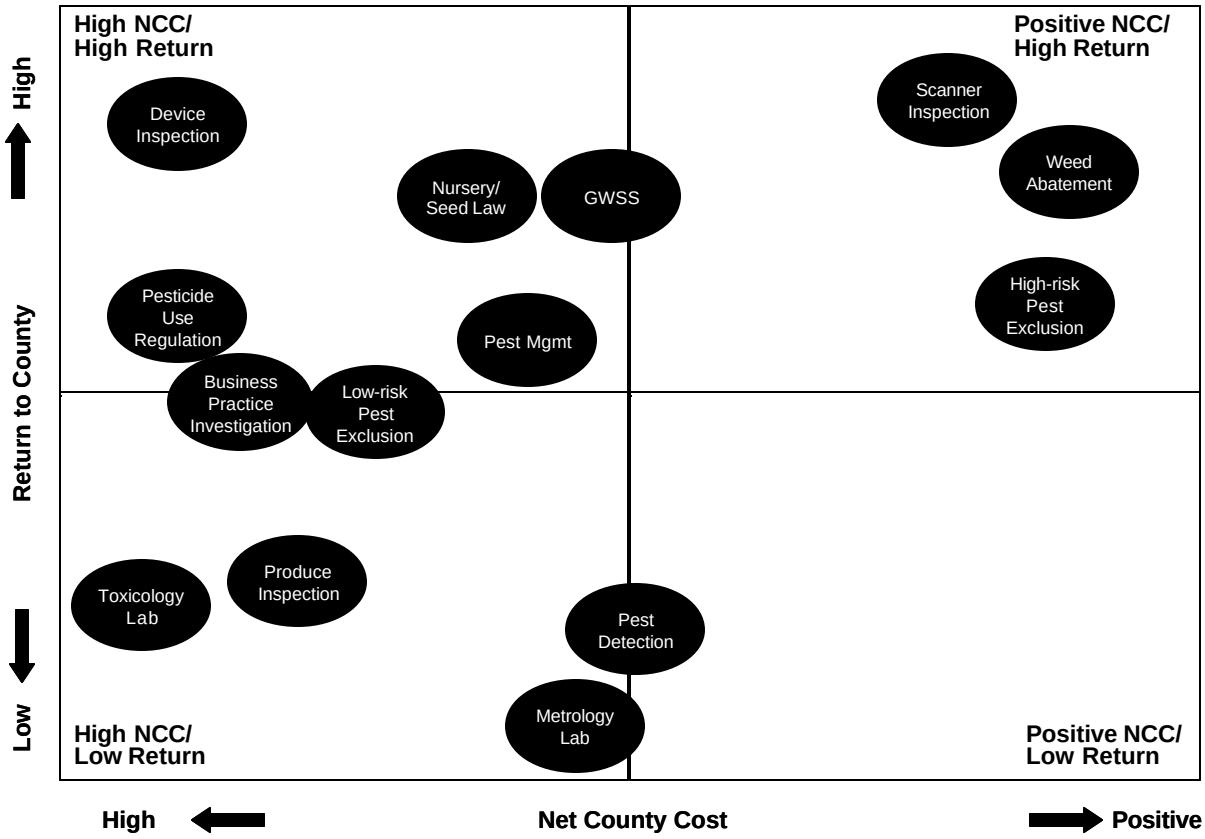
1. The amount of Net County Cost (NCC) experienced in each program; and

2. The benefit provided to County residents and/or the level of mandate (including level of service) accorded the County.

This representation is shown as Figure A-1 on the next page, followed by conclusions and recommendations.

[11] Residents that grow their own citrus or fruit also benefit from pest detection, but the main beneficiaries are growers in other areas of the State.

Figure A-1: Program Matrix



Return = direct benefits to County residents/businesses AND service cannot be easily procured elsewhere OR program is mandated

Conclusions

Five programs should be addressed based on the relative positioning shown in Figure A-1:

1. Certified Farmers' Market program does provide some benefit to County residents but this fee-supported program does not cover operating costs. Fees can be raised to reduce NCC levels.

2. Pest Detection is currently operating at a negligible net loss. However, due to the impending cost increases associated with recent legislation (see Section D for a further discussion), this program will likely operate at a substantial loss in the future. This program provides minimal benefit to County residents in that the main beneficiaries are citrus growers in other parts of the State. In other counties that have dropped the program, the State has stepped in to manage the program.

3. The Metrology Lab provides a useful service both to the County and to private industry. It operates at a small loss but, due to the recent resignation of the certified staff metrologist, the lab is currently not certified and is, therefore, not able to provide fee-supported services which are the majority of the lab's workload. Metrology services can also be provided by the State-run Metrology Lab or by a few local, private labs.

Hard at work at the Toxicology Lab

4. Los Angeles County is unique in that water and wastewater toxicology testing is handled by the Agricultural Commissioner. In most counties this function would be handled by an environmental health, water, flood control or wastewater agency. The ACWM Toxicology Lab operates at a substantial loss. Rates have not been updated in several years. Recently, the Auditor-Controller analyzed the rate-making methodologies used by the lab and was unable to determine if rates reflected full cost recovery. This analysis found significant inconsistencies in the ratemaking methods. The majority of lab services is provided to other County agencies. For example, 63% of the testing volume originates from the Department of Public Works. The County has full control over rates charged by the lab.

5. Pest Management is provided on a fee-for-service basis to County residents as well as other government agencies at the State and local level (e.g., Caltrans, school districts, parks departments). The program operates at a loss but could easily be self-supporting with a minor rate increase. Program management does an excellent job of tracking workload and revenue, but has not made a sufficient effort to compare revenue to costs by contract, customer or customer class. This lack of profit and loss (P&L) management could be masking money-losing contracts or services.

Recommendations

Recommendation A-1: Increase rates charged by the Certified Farmers' Market program.

The ACWM should adjust rates for this program to ensure full cost recovery. Rates can be adjusted by the Board of Supervisors.

Recommendation A-2: Consider eliminating Pest Detection services.

Should the State fail to provide additional funding to the Pest Detection program, once the details of AB185 are implemented the County should terminate this program and turn over management to the State.

Recommendation A-3: Increase rates charged for Pest Management services and perform better P&L management of the program.

The ACWM should implement a minor rate increase in this program to ensure full cost recovery. In addition, program management should prepare quarterly profit and loss statements for the program broken down by class of business (e.g., residential, Caltrans, other County, etc.) to identify financial problems in a timely fashion.

Recommendation A-4: Consider eliminating the Metrology Lab.

The ACWM is currently seeking a certified metrologist to manage the lab. In the meantime the lab is not certified to perform many tests. The lack of certification has resulted in many of the lab's private-sector, fee-paying customers going elsewhere. Following a reasonable period of time after the lab regains certification, should this fee-paying business not return, the County should consider eliminating the lab. Other alternatives exist for certifying standards including the State Metrology Lab or private-sector labs.

Recommendation A-5: Analyze and modify rates for the Toxicology Lab; consider merging the Toxicology Lab with the Public Health Laboratory operated by DHS.

Toxicology Lab rates should be analyzed by a laboratory management specialist. Should the lab continue to fail to achieve full cost recovery, the ACWM should implement a modern cost accounting and billing system and measure cost recovery by type of test. The ACWM should then reduce the scope of the lab by eliminating low-cost recovery tests and eliminating redundant testing equipment. The County should also consider merging the Toxicology Lab with the Public Health Laboratory (PHL) operated by the Department of Health Services (DHS). The County may realize scale economies in administration, equipment utilization and acquisition, materials purchasing, and staffing by merging the two laboratories. A window of opportunity in this regard will exist while the PHL is relocating to new facilities in Downey.

Section B – Consumer Protection

Description of the consumer protection programs

Many of the programs within the ACWM address consumer protection. Produce standardization, pesticide regulation, and the programs within the Weights and Measures (W&M) Bureau all have some aspect of consumer protection. However, for the purposes of this section, Consumer Protection will refer to the Weights & Measures Bureau. This Bureau was once a separate agency of County government. It was merged with the Agricultural Commissioner in 1984. The Bureau was formed to maintain standards on weights and capacities and to use those standards to ensure that scales and measuring devices used in agriculture and industry were accurate.

The Bureau is composed of four divisions:

Scales and Meters (or Devices) – This division tests the accuracy of scales and meters such as gasoline pumps, grocery counter scales and utility meters. The authority to test these devices is generally found in Division 5 of the Business & Professions Code. Owners of measuring devices pay an annual registration fee based on the number of devices in use. These fees are collected by the T&TC and remitted to the ACWM to fund the inspection program. Some of these funds are also used to operate the BPI program (described below). Devices found to be inaccurate are tagged as "out of order" and a violation is issued. The violation is similar to a "fix it" ticket in that the owner must have the device repaired or replaced prior to putting it back in use. The program tracks 120,000 scales, meters and gas pumps at 24,000 separate locations in Los Angeles County. Inspectors performed 4,858 inspections in FY 02-03.

Price Verification – This division tests the accuracy of checkout scanners in all retail locations in the County that use these machines. The program seeks to ensure that scanners and the supporting computers which provide the pricing, correctly read barcodes and provide the same price that is advertised or posted on the shelf. The authority to test scanners is found in Title 2 of the County Ordinances. The program, also called "Buyer Beware" was started in 2002. Prior to this, the BPI unit checked scanners but did not have a dedicated revenue source or a complete registry of scanners employed in the County. The new program authorized the collection of annual registration fees based on the number of scanners used. These fees are collected by the T&TC and remitted to the ACWM to fund the inspection program. Inspectors, working undercover, visit stores, select items, start the checkout process and then verify that the prices produced by the

scanner are accurate.[12] Total overcharges of a $1.00 or less result in an infraction or a misdemeanor if higher than a $1.00. The program database tracks 8,000 locations using checkout scanners.

Business Practice Investigation (BPI) – This division ensures that packaging, pricing and labeling offered by retailers, wholesalers, gas stations and distributors are accurate and not misleading. Examples of practices tested include ensuring that deli items or meat sold by weight actually weigh what is advertised, a package does not contain excessive amounts of filler, or a package that advertises a quantity of 300 items actually contains 300. Inspectors frequently work undercover. Authority for BPI is contained in various sections of Division 5 of the Business & Professions Code. BPI has little revenue and is not fee-supported. Consequently, the program lacks the resources of the other W&M programs. BPI violations are usually misdemeanors.

Metrology Lab – This division comprises a fully equipped Metrology Lab for testing meters, scales, vessels and other measuring equipment. The lab is the only county-operated facility of its kind in the Country.

Future trends

Agriculture versus consumer protection

Society has an infinite capacity for hatching fraudulent schemes and the consumer protection program has expanded in scope and resources over the years to respond. In contrast, the agriculture industry in Los Angeles County has declined to the point where agriculture is mostly limited to nursery horticulture. Imports of agricultural products have increased dramatically thereby necessitating more inspections at gateways, such as LAX and the Ports of Long Beach and Los Angeles. The result is that the relative balance between agriculture and consumer protection programs in the County has shifted markedly toward consumer protection.

Uniformed versus undercover inspections

At one time, all W&M inspections were performed in uniform and marked vehicles. However, the sophistication of consumer fraud schemes has increased to the point that criminals can outwit uniformed inspectors. For example, during the late 1990s, a gas station operator called Mepco Oil Company installed computerized chips in their gas pumps that were designed to outwit the testing protocol used by the ACWM gas pump testing trucks.[13] Had it not been for an informant, the County may never have caught on and prosecuted the company and its owners. This episode served as a wake-up call to the potential for computers and digital devices to abet fraudulent schemes that are hard to detect. In the Mepco case, the method of cheating consumers was consistent so that, in an undercover inspection, the fraud was able to be replicated providing enough evidence to

[12] We visited several stores during a daily round of inspections. At one store overcharges on 6 of 15 items "purchased" totaled $8.83 of a $78.66 bill.

[13] In the Mepco case, the computer chips installed in the gas pumps were designed to underfill all gallons pumped except for the first, fifth and tenth gallons. All short filled gasoline was replaced during the pumping of these gallons. This feature was intended to outwit the ACWM inspectors who tested pumps with one-, five- and ten-gallon testing vessels.

prove the fraud in court. Should a fraudulent device be programmed to cheat randomly it could become near impossible to secure a conviction.

Current status of the programs

Despite efforts to foster agency-wide cohesion, there remain institutional and structural hurdles that hinder the full development of the consumer protection programs operated within the Weights & Measures Bureau. These hurdles have made it difficult to build up a strong corps of inspectors and managers and effective systems to run the programs. ACWM management is aware of these problems and has taken steps to mitigate and to strengthen the W&M Bureau. As seen in the following discussion, we feel an even more aggressive approach is needed to bring the Bureau up to the level of the rest of the agency.

Recruiting and employee development

One of the biggest hurdles to building up the Bureau is the classification system used for the Agricultural/Weights & Measures Inspector series, the backbone of the agency staff. The job specifications require that inspectors have a college degree in "the agricultural or biological sciences or other appropriate disciplines." State law also requires that Agricultural/Weights & Measures Inspectors have a degree in a life science or physical science or other appropriate discipline.[14] Furthermore, the specifications require that inspectors receive licenses from the State in weight or measurement verification and an agricultural license in pest prevention and plant regulation.

Inspection staff that are hired typically have agricultural science degrees and target the agricultural programs as career objectives. Staff that work within the W&M programs, usually as part of a rotation, perceive their tenure within the Bureau as a way station before moving to the other bureaus. Anecdotal evidence suggests that younger staff consider the work in the W&M Bureau to be beneath their experience and education. The nature of the work in the W&M Bureau is more akin to law enforcement and mechanical engineering than it is to agricultural science, yet these disciplines are not reflected in the educational requirements.

Prior to the merger with the Agricultural Commissioner, W&M inspectors had a separate classification system that did not require a college degree. Consequently, the more experienced W&M inspectors, many of whom either lack degrees or degrees that are not consistent with the Agricultural/Weights & Measures Inspector specification, remain within the old classification.

These factors foster the impression that the dominant career advancement route within the agency is through the agricultural programs, not through W&M.

Program Management

Three of the four managers within the W&M Bureau have no experience working as a W&M inspector. The one exception worked for a year or two as a W&M inspector prior to gaining a management position. Prior to heading up the W&M Bureau, these managers

[14] Food and Agriculture Code Section 2101 et seq.

worked in the agricultural programs. These managers may be quite capable as managers in a generic sense, but rotating managers in from the agricultural programs rather than growing them within the W&M programs reinforces the impression that the dominant career advancement track at the agency is not within the W&M Bureau. In addition, using managers that lack extensive program experience limits their ability to relate to the work in the field and the range of situations that can arise that call for management attention.

These hurdles are reinforced because top ACWM management and most of the administrative support functions are physically located in Arcadia, while the W&M Bureau is based out of the Southgate facility. Although some agricultural programs have a presence in Southgate they are mostly managed from the Arcadia headquarters.

Weights & Measures Bureau is located in Southgate

Succession

Although the bulk of the inspections performed by the Devices Division pertain to gas pumps and retail scales, the Division also inspects taxi meters, recycling center scales and other industrial scales. Some devices require the use of heavy, complicated testing equipment and/or specific experience. For example, examining the flow meter at a propane dealer requires expertise to perform the test safely. Within the W&M Bureau the number of inspectors that has the requisite experience and knowledge for these complicated tests is decreasing due to retirements and other departures. These experienced inspectors mostly came over in the 1984 merger and belong to the older, W&M Inspector job class. Eventually the agency will not have these inspectors available and younger inspectors are not being trained quickly enough to backfill positions.

Mission focus

A final issue to consider is the name of the Weights & Measures Bureau. This name is not entirely accurate as a good portion of the inspections that occur do not involve either weighing or measuring devices. The scanner unit has become a major part of the Bureau's portfolio, but it involves computers and optical devices rather than measuring equipment. The common characteristic of all the W&M programs is consumer protection. Not only does this term more accurately describe the work conducted, it is also more closely linked to the ultimate mission of the Bureau than "Weights and Measures." Although the term Weights and Measures has a long traditional use in the County and Statewide it does not have a connotation with the mission. In fact, the other ACWM Bureaus all have titles that are more closely linked to their mission (e.g., pest exclusion, produce quality and pest detection). While renaming an organizational unit doesn't necessarily result in vast productivity improvements or outcomes, it can provide more focus on the mission for the staff and improve morale.

Recommendation B-1: Request a waiver to change the County job specifications for the Agricultural/Weights & Measures Inspector series.

The ACWM should request a waiver from the Secretary of Food and Agriculture to modify the education requirement of the County job specifications for the Agricultural/Weights & Measures Inspector series to recognize degrees consistent with the needs of the Weights & Measures programs such as law enforcement, engineering or other sciences.

We acknowledge that State law requires Agricultural/Weights & Measures Inspectors to have certain eligibility certifications to work in agricultural inspection programs. We recommend that a complementary skills database be maintained identifying the certifications and educational backgrounds of all Agricultural/Weights & Measures Inspectors, to ensure that inspectors assigned to agricultural programs have the requisite backgrounds and skills. The same should be done for weights and measures. Retaining one job series agency-wide will facilitate the rotation of personnel among programs without the need to reclassify staff. By broadening the educational requirements the ACWM can also broaden their recruiting efforts to include individuals more predisposed to thrive in the Weights & Measures program.

Recommendation B-2: Build up the manager pool within the Weights & Measures Bureau.

The ACWM should aggressively identify and prepare Agricultural/Weights & Measures Inspector II and III level staff for supervisorial and manager-level positions in the W&M Bureau. As much as possible, these individuals should stay within the Bureau and not rotate out to other parts of the agency. As these individuals mature as supervisors (e.g., Ag/W&M Inspector III positions) they should be promoted into Division Deputy positions. Existing supervisors and managers should be rotated out as needed to provide promotion opportunities.

Furthermore, top ACWM managers should establish more of a physical presence at the Southgate facility by spending one or two days a week meeting with W&M managers and staff. An even more aggressive strategy would be to acquire more space in the Arcadia headquarters building and/or adjacent buildings and relocate the W&M Bureau to Arcadia.

Recommendation B-3: Change the name of the Weights & Measures Bureau.

The ACWM should change the name of the Bureau to the Commercial Integrity Bureau so that the name better reflects the mission of the Bureau and provides a greater focus for staff.

Recommendation B-4: Train younger W&M staff on the use of heavy testing equipment.

The ACWM should systematically train selected younger staff on the use of the more complicated, heavy or cumbersome testing equipment such as industrial flow meter testing equipment. This will ensure that the agency has continuity in these capabilities as older inspectors retire or otherwise depart the agency.

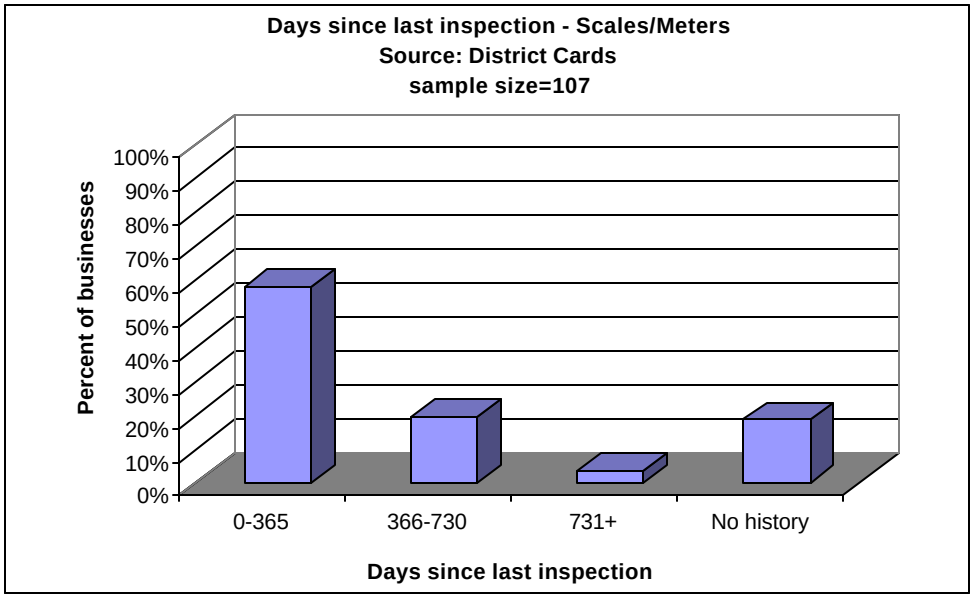
In the following paragraphs we provide performance data on each W&M division along with findings and recommendations that are specific to those programs.

Devices (scales & meters)

Timeliness of inspections

Historically, CDFA required annual device inspections. However, beginning in the early 1980s counties began to fall behind on performing inspections due to layoffs or the inability to hire enough inspectors.[15] The CDFA began granting waivers called "variable inspection frequency" to mitigate the problem. Several counties, including Los Angeles County, have this waiver which does not expire. Thus, even though the inspection frequency standard is one year, the County can go longer without penalty. Figure B-1 illustrates the timeliness of County inspections based on an audit of 107 district cards drawn from ACWM files.

Figure B-1: Days Since Last Inspection – Scales and Meters



As seen in the above chart, 58% of the devices had been inspected within the prior 12 months; 78% had been inspected within the prior 24 months; 4% of the businesses were more than two years out of date. Twenty-seven businesses or 25% of the sample had no district card (e.g., an index card that shows the inspection history of the location) on file, although seven of these had inspection data logged into the database. Twenty businesses or 19% of the sample had no inspection history either on a card or in the devices

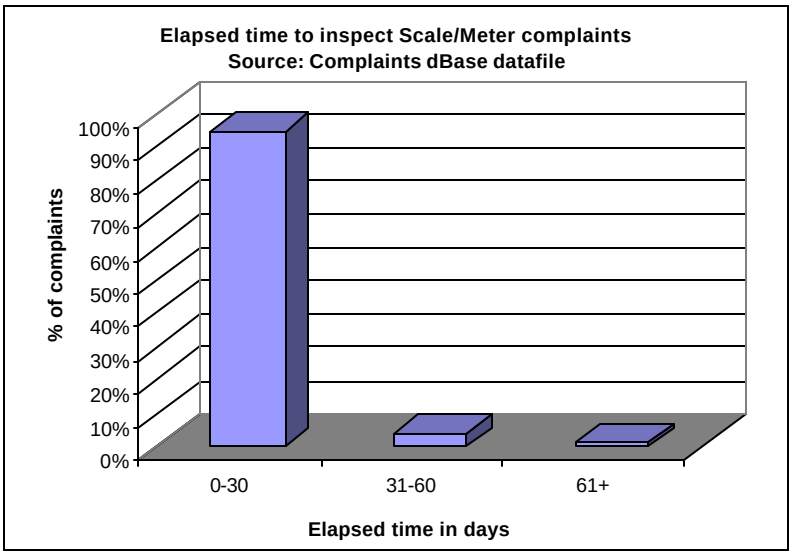
[15] This raises the question of adequacy of program fees to pay for the inspection and enforcement program. Within Los Angeles County some device registration fees support the work of the BPI Division which has no revenue source of its own. Device registration fee levels are established in State law and are outside the scope of this study.

database.[16] This problem is discussed further in Section E (Workload Management).

Complaint investigations

During CY 2003, 742 complaints pertaining to scales and meters (e.g., consumer reports of inaccurate gas pumps) were investigated and closed out.[17] The agency standard for resolving complaints is 30 days. Figure B-2 illustrates how the agency performed against this standard:

Figure B-2: Days to Inspect Scale and Meter Complaints



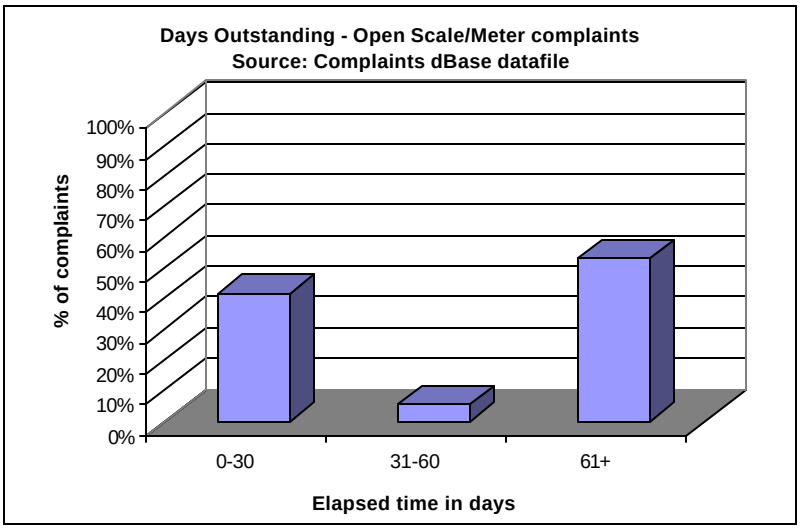
As seen in the above chart, 95% of the complaints were investigated and resolved within the standard 30 days.

[16] Many of the missing district cards were for water vending machines. These machines have to be inspected to ensure that they dispense the advertised amount of water. These machines are moved around to different locations to improve patronage and, therefore, it is hard to set up a regular inspection schedule for these machines. This may account for many of the missing cards.

[17] The vast majority of these complaints is for gas pumps.

As of October 6, 2003, the devices program had 140 open complaints. Figure B-3 shows the days outstanding for these open complaints:

Figure B-3: Days Outstanding – Open Scale and Meter Complaints

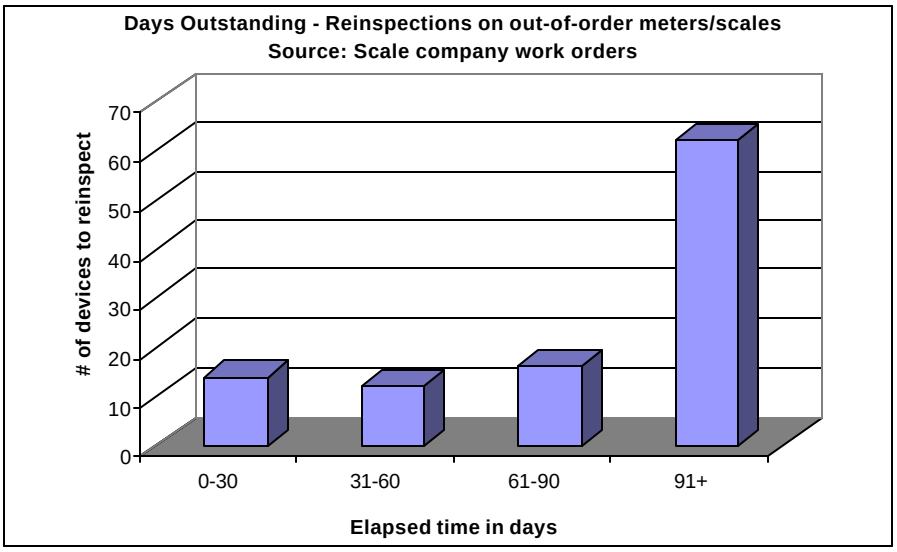


As seen in the above chart, 41% of the outstanding complaints were less than 30 days old. However, a more worrisome statistic is the 53% of outstanding complaints that were more than 61 days old. For many of these overdue complaints no paperwork was found that would indicate if they had been investigated or not. Clearly this points to a problem of inspection reports turning up missing. This problem is discussed further in Section E (Workload Management).

Reinspections

When devices are tagged as "Out of Order" the owner must either retire the device or have it repaired before using it again. Scale repair companies will repair a device and remove the "Out of Order" sticker. The repair company will also send a copy of its repair order to the ACWM. This alerts the ACWM to conduct a follow-up inspection of the device within 30 days. These repair orders are matched up with the original violation form and stored in a bin until an inspector can make a trip out to the business. As of October 6, 2003, the reinspection bin had 104 repair orders. These repair orders were mostly for wholesale or industrial scales; no retail scale or gas pump repair orders were evident. Figure B-4 shows the days outstanding for these repair orders:

Figure B-4: Days Outstanding – Reinspection of Out-of-Order Devices



As seen in the above chart, 87% of these repair orders were more than 30 days old; 60% were more than 90 days old. While the devices were back in operation, and most likely operating properly, a reinspection is still required.

Recommendation B-5: Perform reinspections within 30 days.

The Devices Division should make sure that all reinspections are performed within the standard 30 days. Division management should inspect the reinspection bin regularly to ensure follow-up on all repair orders.

Uniformed inspections

As discussed earlier, consumer fraud has gotten more sophisticated and difficult to detect with the advent of microchips and computerization. As the Mepco case illustrates, determined criminals have learned to outwit the traditional uniformed inspectors. This could occur in other business settings as well. Unscrupulous grocery store operators could retrofit counter scales to overweigh purchases (e.g., a high-tech version of the proverbial thumb on the scale). By turning off the chip when a uniformed inspector shows

up the device would read accurately. Undercover inspections may have to be used to detect scams such as these.

Recommendation B-6: Conduct more undercover inspections.

The Devices Division should consider augmenting their traditional uniformed inspector protocol with more undercover inspections. Scale and meter inspections may have to be conducted in a manner more similar to the BPI program where inspectors do undercover test purchases. Inspectors could actually do both types of inspections on the same call: doing a test purchase (e.g., test a meat or deli purchase or a gasoline purchase undercover) and then test the devices as a "uniformed" inspector by revealing his or her identity to the operator.

The Division should also consider performing more undercover inspections of gasoline pumps. The Division does have some vehicles outfitted for this purpose; this type of inspection should be used more often to supplement the regular gas pump inspection.

Vehicle used to test gas pumps

Certified Farmers' Market scale inspections

Vendors at certified farmers' markets frequently sell produce and other agricultural products by weight using scales. However, most farmers' markets are operated on the weekend when the ACWM device inspectors are off duty. The ACWM does deploy inspectors from the PEPQ Bureau on the weekend to verify that farmers' market operators and vendors have the requisite certifications. These PEPQ inspectors could cover for the Devices Division and test farmers' market scales as well.

Recommendation B-7: Test farmers' market scales.

Inspectors from the PEPQ Bureau should be outfitted with scale testing kits and receive the requisite training in order to test scales used by market vendors.

Price verification (scanners)

As mentioned earlier, the Price Verification Program (aka Scanners) was started in 2002. The impetus for this program was an increasing amount of evidence that barcode scanning checkout devices used in retail locations were incorrectly scanning merchandise much of the time. This mis-scanning occurred for various reasons:

- The supporting computer system was not updated to reflect the latest shelf prices

- Shelf price tags for items on sale were not removed after the item had gone off sale (these old tags are known as "stale price tags" in industry parlance)
- Supporting systems were not updated to reflect on-sale items that are tagged with non-barcoded price stickers
- Deliberate fraud

Scanner inspector explains violations to a store manager

The County sponsored an extensive undercover audit in 2001 to determine the extent of the overcharges. The audit revealed that it was pervasive and warranted a systematic enforcement program to change retailer behavior. Out of this came an ordinance setting up the price verification unit.[18] The generic name of the program is Buyer Beware.

The program has been in operation for only a few months, but has already yielded hundreds of violations. Offending retailers range from mom-and-pop stores to national chains. The ACWM website lists the stores that have received violations.

Timeliness of inspections

An impending issue is the ability to keep up with inspections. The program employs 12 inspectors for 8,000 locations. The inspectors are performing about 500 inspections per month. At that rate the program will start to experience a backlog of 2,000 uninspected locations per year given that the agency's standard calls for annual inspections. This backlog will become even more critical if inspectors spend more time on handling prosecutions in the future.

Recommendation B-8: Hire more scanner inspectors.

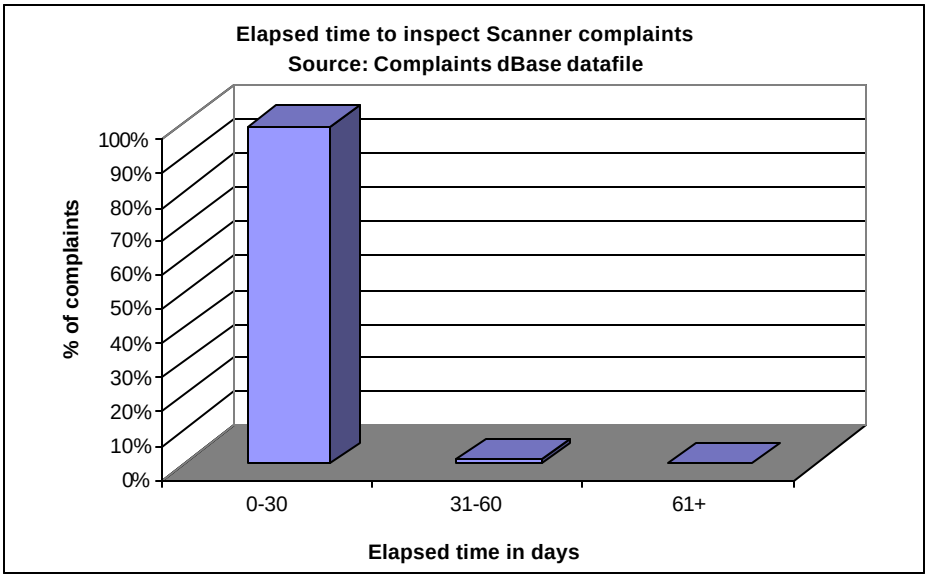
The Scanner Program should hire an additional four inspectors to ensure that all locations are inspected within 12 months. At the current productivity rate, this will increase the number of monthly inspections to the 650 that are needed to keep inspections up to date. The Scanner Program has sufficient net revenues to accommodate these additional inspectors.

[18] Section 2.41 of the County Ordinances.

Complaint processing

During CY 2003, 221 consumer complaints pertaining to checkout scanners were investigated and closed out. The agency standard for resolving complaints is 30 days. Figure B-5 illustrates how the agency performed against this standard:

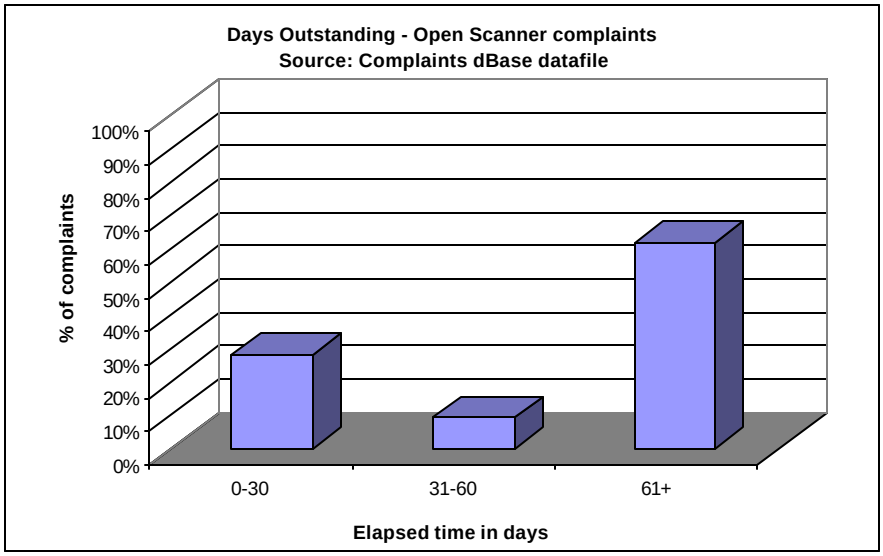
Figure B-5: Days to Inspect Scanner Complaints



As seen in the above chart, 99% of the complaints were investigated and resolved within the standard 30 days.

As of October 6, 2003, the scanners program had 63 open complaints. Figure B-6 shows the days outstanding for these open complaints:

Figure B-6: Days Outstanding – Open Scanner Complaints



As seen in the above chart, 29% of the outstanding complaints were less than 30 days old. However, a more worrisome statistic is the 62% of outstanding complaints that were more than 61 days old. For many of these overdue complaints no paperwork was found that would indicate if they had been investigated or not. Clearly this points to a problem of complaint inspection reports turning up missing. This problem is discussed further in Section E (Workload Management).

Effectiveness of the Scanner Program

Retailers that commit violations typically pay the fine rather than challenge the violation in court. For many of these businesses the fines are merely a cost of doing business rather than a deterrent. They rationalize that it would cost much more to make a concerted effort to remove stale price tags and expired sale tags than paying the cost of the fine.

Historically, if a retail chain was found to have multiple violations a case was prepared by the District Attorney and a criminal indictment was prepared. Most of these cases were settled early in the process but a few cases have gone to the pretrial stage before being settled. Multimillion-dollar penalties and injunctive relief[19] have been won in these cases. According to the District Attorney about 15 of these cases have been brought during the past 20 years.[20]

With the advent of the Buyer Beware program a new penalty has been introduced. Stores that are convicted, whether through a trial or merely paying a fine, are now required to post a sign next to the front door of the business that states in bold letters: NOTICE OF

[19] Injunctive relief refers to stipulations that the business take actions such as train employees to remove stale price tags.
[20] Inspecting scanners predates the formation of the Buyer Beware program. Prior to the creation of the program, scanners were checked by the BPI unit but the inspection effort was not as systematic as it is now.

OVERCHARGE CONVICTION.[21] This sign must stay in place for 60 days. This new requirement is vehemently opposed by the retail industry in the County. In two cases, a business that was required to post the sign has challenged the stipulation in court. In both cases, the ACWM and the County relented and made an exception for the business.

The big challenge for the County is determining what combination of remedies will force retailers to take the annoying but necessary steps to prevent scanner overcharges. Assessing fines and posting signs may not be enough of a deterrent. In fact, industry opposition to the "CONVICTION" signs may result in severe political pressure to modify or water down the program. Ultimately, the County may have to take on the worst violators in court to send the proper message and change retailer behavior.

> **Recommendation B-9: Prosecute retailers demonstrating systemic scanner overcharges**.
>
> The District Attorney should add, and the ACWM should fund from program revenues, a Deputy District Attorney position dedicated to prosecuting scanner overcharges. This new position would prosecute retailers that demonstrate systemic violations of the County scanner ordinance. This systemic behavior should be apparent from the violations database maintained by the ACWM and reported on the agency website.[22] Although the District Attorney has prosecuted these cases in the past, the new inspection program is generating more comprehensive data for assessing the behavior of the retail industry in the County. The District Attorney should work closely with the ACWM in identifying violation patterns that may indicate a prosecutable offense. The current database lists three or four retail chains with a large number of violations that should be assessed for possible prosecution.[23]

Future trends

The retail industry is undertaking preliminary tests of a new pricing technology called Radio Frequency Identification (RFID). This technology involves embedding a computer chip in the packaging of a product. This chip will emit a signal that can be interpreted by a device and does not need to be scanned as with traditional barcode readers. In fact, the chip can be read even if the item is buried in a pile of other items. The technology would allow a consumer to check out merely by rolling a shopping cart past the reading device. The consumer's debit or credit card would then be accessed in the typical manner to pay for the items. This technology will mean that there will be no store employee present at checkout and prices for each item will not be displayed on a screen for the consumer to review during checkout. While this technology promises to dramatically improve the efficiency of the retail checkout process and convenience for consumers, it also dramatically increases the opportunity for consumers to be defrauded, whether deliberate or not, since items are not individually scanned, priced and displayed. Government and the industry will have to work to develop protocols and procedures so that State and local government is able to fulfill its duty to protect citizens against consumer fraud.

[21] The sign was modeled on the County's restaurant grading signs (e.g., A through F depending on the level of cleanliness).
[22] http://acwm.co.la.ca.us/scripts/scaviol.htm
[23] For two of these chains, San Diego County has recently won penalties and cost recovery in excess of $1 million for scanner violations and injunctive relief.

Recommendation B-10: Work with the National Conference on Weights & Measures (NCWM), the Federal Trade Commission (FTC) and other organizations on RFID safeguards.

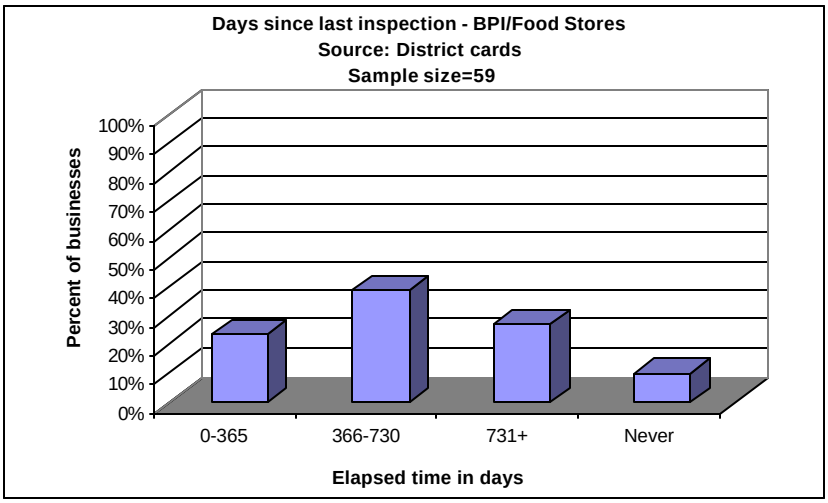
The ACWM should become familiar with the development of RFID technology and use its influence to guide development of procedures and protocols so that RFID can be implemented with reasonable and effective safeguards to prevent consumer fraud.

Business Practices Investigation (BPI)

Timeliness of inspections

As mentioned earlier, the BPI unit conducts several different types of inspections. These inspections can take place in settings as diverse as a large distribution center or as small as a neighborhood carniceria or meat market. In assessing the performance of BPI in handling unit workload, we concentrated on inspections dealing with test purchases[24] and meat audits. Figure B-7 illustrates the timeliness of these BPI inspections:

Figure B-7: Days Since Last Inspection – BPI



As seen in the above chart, of the 59 businesses audited (mostly grocery stores and other food stores), 24% of the stores had been inspected within the prior 12 months; 27% of the businesses were more than two years out of date; 10% of the stores had not been inspected at all. There is no legal standard for how often inspections should be performed, although the unofficial agency standard is one year. The untimely inspections reinforce the problem that the unit is understaffed given the broad range of businesses and practices that could be inspected. This understaffing is a product of the lack of a dedicated revenue

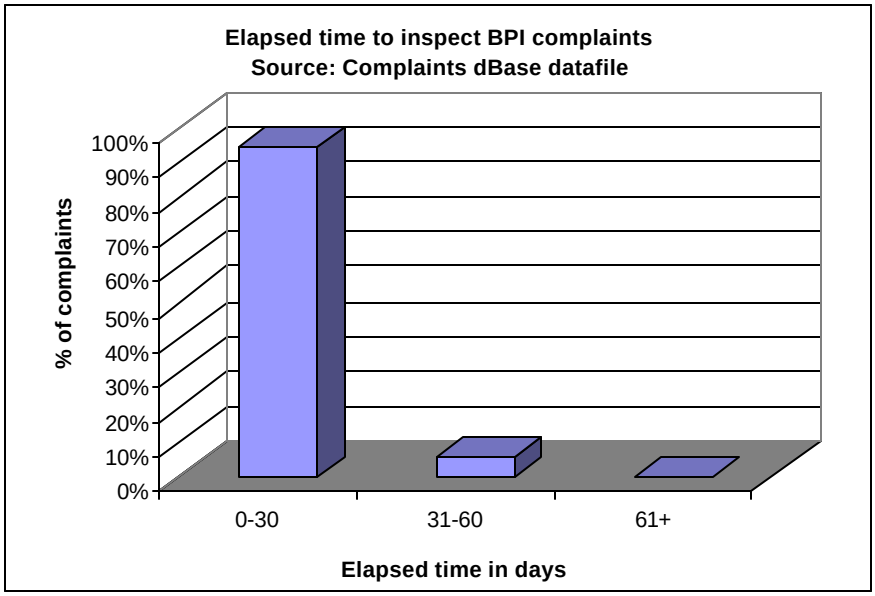
[24] A test purchase involves an undercover purchase of an item sold by quantity or weight (e.g., seafood, bakery items, deli items). Before the transaction is completed, the inspector reveals his or her identity and checks to see that the weight or quantity is accurate.

source for BPI. BPI is operated mostly with funds collected from the device registration fee. The BPI unit mostly responds to complaints and fits in routine inspections as time allows. Should a particular business practice become particularly abusive or troublesome, the County always has the option to assess an inspection fee to upgrade the program. This is how the scanner program was created.

Complaint investigations

During CY 2003, 89 complaints pertaining to fraudulent business practices (e.g., a bag of coffee sold for less weight than advertised, a bottle of aspirin sold with fewer tablets than advertised) were investigated and closed out. The agency standard for resolving complaints is 30 days. Figure B-8 illustrates how the agency performed against this standard:

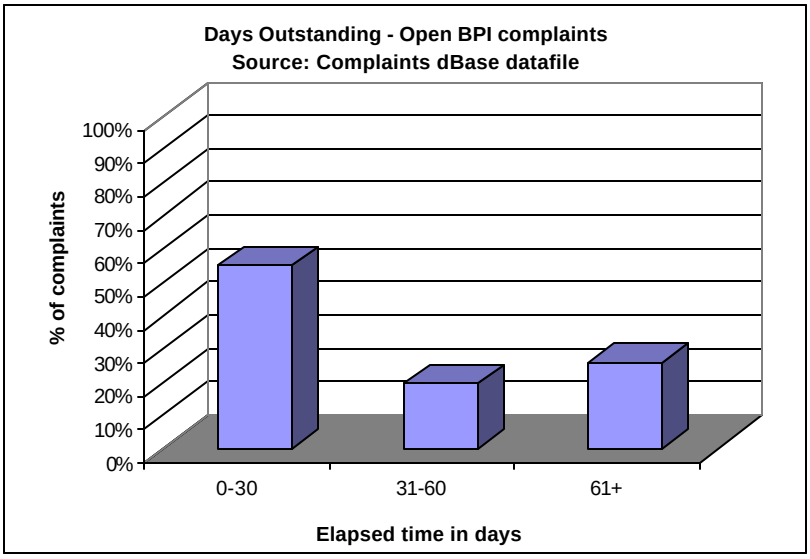
Figure B-8: Days to Inspect BPI Complaints



As seen in the above chart, 94% of the complaints were investigated and resolved within the standard 30 days. All were resolved within 60 days.

As of October 6, 2003, BPI had 31 open complaints. Figure B-9 shows the days outstanding for these open complaints:

Figure B-9: Days Outstanding – Open BPI Complaints



As seen in the above chart, 55% of the outstanding complaints were less than 30 days old; 26% of the outstanding complaints were more than 61 days old. As with the other W&M programs, missing complaint documentation is a problem.

Recommendation B-11: Perform routine inspections in the vicinity of complaints.

Even though complaints have to take first priority for any ACWM program, the ACWM should conduct routine inspections that are in the vicinity of sources of complaint. This should be emphasized in the BPI program where routine inspections are so far behind schedule.

Section C – Weed Abatement

The Weed Hazard Abatement Division is charged with inspecting and clearing unimproved parcels throughout much of Los Angeles County.[25] Authority for this function derives from Title 32 of the County Code. Up until 1973, weed hazard abatement was handled by the County Fire Department. At that time, the function was divided with clearance of weed-infested parcels on unimproved parcels assigned to the ACWM. Clearance on improved parcels remained with the County Fire Department's Brush Clearance Unit (BCU).

How and why weeds are cleared

Weeds and brush are cleared from unimproved parcels and portions of improved parcels in order to remove fuel that could either start or inflame wildfires. Fire officials recognize that brush fires are a natural part of the regenerative cycle of wild lands in Southern California. However, when brush fires occur close to built-up areas, houses and other structures can be threatened. The concept behind brush and weed clearance is to create a buffer between the wild lands and built-up areas so that fires will not threaten those structures.[26] The extent of these buffers varies depending on conditions, but in many hillside areas it is up to 200 feet.

The County has a process whereby a parcel is "declared" to be a potential fire hazard if the parcel supports weed or brush growth that threaten nearby structures. Owners of declared parcels are sent a notice by the County Assessor informing them that they are responsible for clearing the weeds and brush on their parcel. These parcels are then inspected to determine if the owners have complied. These inspections take place starting in the spring after the end of the rainy season.

Parcels with structures, called improved parcels, are inspected by County Fire Department personnel during downtimes between emergency calls. Parcels without structures, called unimproved parcels, are inspected by the ACWM. There are approximately 40,000 declared improved parcels and 25,000 declared unimproved parcels in the County. Many of the more troublesome parcels are in the foothills or partially developed areas such as the Puente Hills and the San Gabriel Valley.

The ACWM levies a $29.00 inspection fee annually to owners of unimproved parcels. This amount is added to the owner's property tax bill. The Fire Department does not levy an inspection fee, however, improved lots are more likely to be cleared by their owners and require less follow-up than unimproved parcels. In addition, Fire Department personnel perform their inspections between calls so there is no additional cost incurred by the

[25] Certain cities perform their own weed abatement services.

[26] During the recent wildfires no structures were lost in Los Angeles County mainly due to the intelligent design of subdivisions in the Santa Clarita area. These residential areas were designed with wide, landscaped buffers between the structures and the surrounding hills.

County. ACWM inspectors are dedicated to inspection and clearance activities and, therefore, constitute an added expense to the County.

If an inspection reveals that an owner has not cleared a parcel of weeds and brush, notices are sent to owners reminding them of their obligation to clear. If the parcels continue to go uncleared, the parcel is cleared by the County using contractors or County crews. These contractors use a variety of mechanical methods to clear weeds and brush, including chain saws and tractor-pulled mowing equipment. The cost of the clearing operation, including an overhead charge, is invoiced to the parcel owner. Unreimbursed charges are added to the owner's property tax bill.

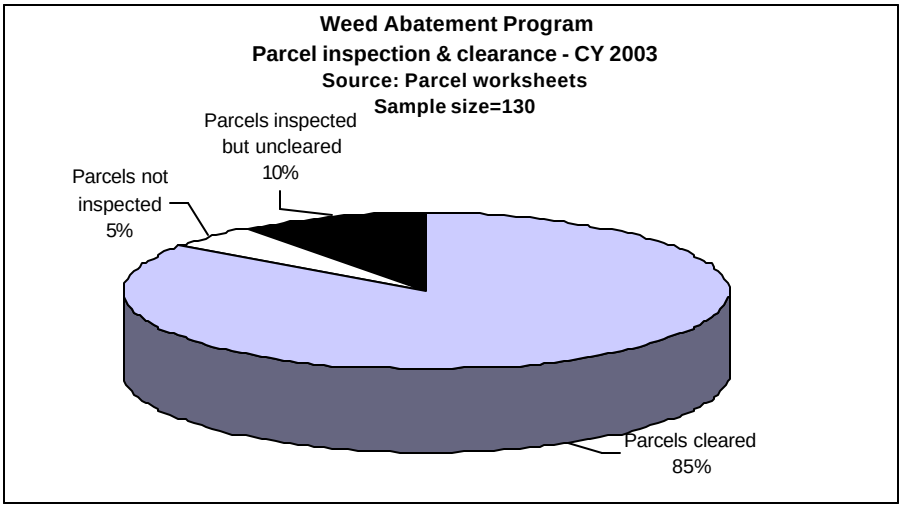
About three-quarters of all declared parcel owners either clear their land on their own or grant permission for the County to clear. Only a fraction of the parcel owners are unresponsive.

Weed and brush abatement functions are organized differently in various counties. Some counties locate the entire function within the Fire Department or the Building and Safety Department. Splitting the function between two separate agencies, as is done in Los Angeles County, is not a common practice.

Performance

The ACWM performs well in ensuring that parcels are inspected and cleared. As seen in figure C-1, 95% of declared parcels had been inspected; 85% had been cleared. These figures apply to the status of declared parcels on October 8, 2003, toward the end of the clearing season.

Figure C-1: Status of parcel inspection and clearance



Clearance status is recorded on worksheets that capture data such as the condition of the parcel when inspected, clearance date and method of clearance. The vast majority of parcel records reviewed during this audit had complete data. However, we performed spot checks on three parcels where the record showed that the parcel was clear, but provided no supporting details. On-site inspection of these three parcels showed that they had not been cleared. These observations demonstrated the need to perform selected audits of parcel records to ensure that the proper work was performed and recorded. However, most parcel records had detailed inspection and clearance data and we believe that mis-reporting is isolated.

The Fire Department BCU has no inspection or clearance capability on its own. The BCU, composed of four or five individuals, manages a database of declared, improved parcels and follows up with local fire stations to ensure that lots are inspected and cleared. If a parcel owner does not clear his or her lot after receiving a notice from the local fire station, the station personnel prepare a referral to the BCU called a 410 referral. The BCU then follows up on this referral by imploring the owner to clear. Local stations report back to the BCU on the number of inspections, parcels cleared and the number of referrals.

Our examination of BCU records showed that all fire stations reported doing their assigned inspections. Records also showed that nearly all stations with large numbers of parcels to check made 410 referrals to the BCU. However, one or two stations assigned with large numbers of parcels made no 410 referrals at all. The total absence of 410 referrals from these stations suggests that the station personnel did not perform inspections at all. The only way to confirm this suggestion is to visit the parcels and perform spot checks.

Recommendation C-1: Do spot audits.

ACWM managers should conduct periodic audits of parcel worksheets. In those cases where inspection data is incomplete or otherwise suspect, managers should do on-site inspections to ensure that inspections are being performed as required.

Recommendation C-2: The County Fire Department BCU should perform spot auditing of stations.

The BCU should perform spot audits of inspection records in selective stations. For example, where no 410 referrals are made in stations with large numbers of assigned parcels, the BCU should verify that inspections were performed by doing on-site spot checks. If these checks reveal that station personnel performed inadequate or no inspections, Battalion Chiefs should discuss the problem with the appropriate station personnel.

Work Processes

The Weed Abatement unit employs work processes that are paper intensive and employ minimal use of technology. These processes are shown graphically in Appendix 1. Specific process issues include:

- Separate databases are used to log declared parcel additions; complaints from parcel owners about assessments; complaints from residents about weed-infested lots; 410 referrals from the Fire Department; responses from parcel owners regarding their intent to clear their lot; and time and materials used in clearance operations. All but one of these databases is programmed using dBase III, a database management tool that is no longer used widely.

- The main function of the unit, inspecting and monitoring the status of declared lots, is not automated at all. Inspection and clearance data is maintained by handwritten notes made on parcel maps and worksheets. Reliance on paper records exposes the agency to catastrophic loss in the event of fire and/or the occasional loss of individual parcel records through misplacement of map books.

- Because the core data of the unit (e.g., inspection records) are not automated, many workload management tools do not exist. For example, it is impossible to determine how many parcels have not been inspected or where uninspected parcels are, without a laborious audit of hundreds of map books. Useful historical data, such as parcel owner activity, clearance history, and weed and brush growth is almost impossible to compile. This data would be useful for targeting intensive inspection activity in cases where owners never respond and weed and brush growth is profuse.

Finding parcel boundaries in weed abatement requires a decent map, a range finder, time on the job and a fair amount of guesswork

- Some of the automation that does exist produces paper records that are subsequently modified by hand and then re-automated later resulting in “islands of automation.”

- Much of the data that is collected in the field could easily be automated through the use of hand held computer devices.

Geographic Information System (GIS)

Weed abatement is an ideal application for GIS. The key record keeping unit in weed abatement is a parcel. GIS has the capability to maintain and present detailed information on a parcel level. This could include useful information for weed abatement such as parcel owner, clearance status, inspection history, type of vegetation or hazard, fees paid, tax status, etc.

The ACWM is undergoing the initial steps toward implementing GIS in weed abatement. Currently, the agency has imported the parcel boundaries from the Assessor GIS. The plan is for GIS to be operational in 2005. GIS would then replace the current parcel worksheets.

> **Recommendation C-3: Complete implementation of GIS for recording declared parcels**.
>
> The ACWM should complete the implementation of GIS for weed abatement and then integrate the system with the KIVA system (see below). This will allow the unit to fully automate back office functions and provide a platform for automating the field inspection function through the use of hand held computer devices. Estimated cost: $100,000 to $200,000.

County land-based inspection technology

In 2002, the County signed a contract with the Accela Corporation of Salt Lake City, Utah, to implement an integrated land management/permitting system called KIVA.[27] KIVA is an established system that can manage permitting, regulatory and inspection functions for programs that are parcel- or permit-based. The system is ideal for the permitting and enforcement programs in the Departments of Public Works and Regional Planning and, in fact, those two agencies are in the process of implementing KIVA. Because the KIVA system has functions that manage enforcement programs and its data conventions are tied to parcels, the system may be a good fit for the Weed Hazard program at ACWM. KIVA has been modified for weed hazard and brush clearance programs in other jurisdictions.[28] In addition, Accela has adapted KIVA so that its functions can be handled on hand held computer devices.

> **Recommendation C-4: The ACWM should investigate the KIVA system for the weed hazard program.**
>
> The ACWM should contact the County CIO, the Department of Public Works and Accela to evaluate the possibility of adapting the KIVA system[29] for use in the Weed Hazard Program. The system would have to be modified to be linked to the County Assessor and T&TC so that parcel owners can continue to be billed as part of the

[27] The word kiva refers to a type of adobe structure used by Southwestern Indian tribes for religious ceremonies.
[28] Kansas City, Missouri uses the KIVA system for weed abatement although the KIVA personnel were required to develop custom modifications to accommodate the City's needs. The ACWM should do a careful investigation regarding how closely the stock version of KIVA fits the County's requirements for treasurer interface, inspections history, time and materials billing, tax complaint tracking, etc.
[29] This system has been dubbed eDAPTS in Los Angeles County.

property tax system. The system would be able to replace the current system of parcel worksheets, hazard complaints, inspection history and clearance time and materials used. The KIVA system should also be able to link to the County GIS. The ACWM should purchase and deploy hand held computers to collect and manage data in the field. Accela has successfully adapted the KIVA system for use on hand held computers. Estimated cost: $200,000 to $300,000.

Finding Parcels

Unlike the improved parcels handled by the Fire Department, unimproved parcels have no structures and no posted street addresses. Often it is impossible to determine where a parcel boundary is just by looking at the lot. Several parcels may adjoin when looking at an assessor map, but out in the field it just looks like a field of weeds and dirt.

ACWM inspectors spend a lot of time trying to determine where a parcel begins and ends while they are out in the field. Some of the assessor maps that they use include hand-drawn landmarks such as a gully, a fence or a tree to guide inspectors, but even with these landmarks it is still difficult to get oriented. Without determining the parcel boundaries it is difficult to determine the clearance status of the parcel.

Recommendation C-5: The ACWM should purchase Global Positioning Satellite (GPS) devices to aid in finding parcel boundaries.

These devices communicate with a satellite and report the exact coordinates of where the device is and, therefore, where the inspector is standing and where the parcel boundary is. This data can then be tracked on a map, ideally a map generated from a GIS, to accurately identify parcel coordinates while out in the field. Estimated cost: $20,000 to $50,000.

Policies

The ACWM and the Fire Department are charged with overseeing the clearance of weeds and brush from declared parcels. However, many parcel owners, for various reasons, do not voluntarily clear the weeds and brush from their parcels. In many of these cases, the ACWM will send a crew out to clear the weeds and brush and then bill the owner either through a supplemental assessment on the owner's property tax bill or through direct invoice. However, the County does not collect property taxes on many parcels in the County. Some of these parcels are declared parcels and, therefore, the County has no source of cost recovery if the parcel owner does not voluntarily clear. These parcels include:

- Those owned by utilities such as power, water and gas utilities, both investor and municipally owned; these parcels are not taxed.
- Parcels owned by homeowner associations (HOAs) which are not taxed as HOAs are nonprofit organizations.
- Parcels owned by government entities including the County of Los Angeles.

- Parcels where the owners are in default status; often these parcels cannot be developed and are therefore economically not viable, hence, the owners often stop paying taxes on these worthless parcels.

Given that these parcels are either not taxed or no tax is collected, the ACWM is reluctant to send out crews to clear the parcels because their costs cannot be recovered. It is important to note that clearance operations are frequently contracted out to private firms so the cost is an incremental cost to the County. This situation becomes critical when the parcel supports dangerous levels of growth and is adjacent to development.

If a structure is destroyed or damaged from a wildfire and the fire came from an adjacent lot, the owner of the lot is financially liable for the damage that occurred. In other words, the existence of weeds and brush constitutes a hazard that should be mitigated by the parcel owner. When the County is unable to clear a parcel due to the tax status or the inability to recover costs, the County is not liable if the parcel subsequently generates a destructive fire. However, these situations do detract from the overall mission of the Fire Department and the ACWM Weed Abatement Unit which is to protect property regardless of the legal status of the neighbors. In addition, when the lot in question is owned by the County, the County is, in fact, liable for any damage that ensues when a fire damages or destroys adjacent structures.

The brush in this photo is growing in a utility right-of-way. As utilities are exempt from paying property taxes it is difficult to collect clearance fees. Hazardous brush such as this frequently grows unchecked.

With the assistance of the ACWM, the Third Supervisorial District has used up to $100,000 annually in discretionary funds to clear weeds and brush on these lots in that District when the risk is determined to be extreme. This program should be expanded Countywide for selectively clearing lots where the potential danger is too great to overlook.

Recommendation C-6: Augment funding to clear more hazardous County-owned parcels and parcels in tax default status.

The County should provide more funding for clearance of hazardous parcels for which there is no other funding source. These parcels should include those owned by the County or those in tax default status.

Recommendation C-7: For selected parcels, the ACWM should broker land transfers.

In addition to funding clearance operations on hazardous parcels (see Recommendation C-6) the ACWM should selectively broker transactions, whereby owners of improved parcels would acquire adjacent unimproved parcels that pose a particularly dangerous hazard. This would include identifying those parcels,

contacting adjacent property owners, splitting up the unimproved parcels and conveying them to the adjacent owners. In most cases, the unimproved parcels would have little or no value so the transactions could be brokered for little cost to the property owners. This would alleviate the County of the burden of carrying defaulted properties on the tax roll and allow property owners to clear the brush on land adjacent to their homes or structures.

Declaring lots

Another issue for the County is that parcels are declared once per year, in January, by the Board of Supervisors. However, during the ensuing inspection season, ACWM inspectors stumble upon new, unimproved lots that didn't exist the year before. These parcels come about when a structure is removed or burns down or a subdivision occurs creating new parcels out of one. These new parcels must be in a "declared" status before inspection fees can be levied on the owner. This creates a dilemma regarding recovering inspection costs during the current year, while waiting for the opportunity to declare the lot a hazard during the following year.

Recommendation C-8: Declare lots twice a year instead of just once a year.

The Board of Supervisors should declare lots twice during the year, once during January and once during June. This will allow newly created, unimproved parcels to be declared before the inspection season ends so that inspection fees can be levied.

Section D – Other Programs

This section covers ACWM programs not covered in other sections of this report. During this management audit every ACWM program was reviewed and analyzed. However, for some ACWM programs there are no pertinent findings or recommendations. These few programs are not covered in this report other than a brief description in the Introduction.

This section covers:

- Pest Detection
- Pest Exclusion/Produce Quality (PEPQ)
- Pesticide Use Regulation

This section describes our findings and recommendations. We also provide benchmarking data and other quantitative data on timeliness and backlogs as available.

Pest Detection/RIFA

Pest detection

The Pest Detection program is designed to prevent the introduction and spread of destructive pests that can threaten the State's agriculture, particularly the citrus-growing industry. Though some species of fruit flies are endemic to Southern California, other species have been mistakenly introduced over the years, often by tourists or family members visiting and carrying produce from countries that host the destructive species. Because Los Angeles is such a significant port of entry for ocean-going commerce and international air travel, infestations often start in the County.

The Pest Detection Program fields inspectors to monitor traps placed throughout the County. These traps are baited to attract various insects, predominantly various types of fruit flies. When fruit flies are found in the traps they are sent to the Department's entomologist for analysis. If the trapped flies prove to be wild flies then inspectors

employed by the State will try to isolate the infested area by placing more traps in the vicinity. Infested areas are then treated to eradicate the infestation. Prior to 1992 aerial spraying of insecticide was used frequently to control pests. Since that time less controversial methods, such as releasing sterile flies or predator insects and spot spraying have been used.

To ensure quality, personnel from the California Department of Food and Agriculture (CDFA) will place flies in selected traps and then await the results of routine trap inspections performed by County staff. County trappers are evaluated on their record in finding these "planted flies." Trappers that fail to find and report these planted flies are sanctioned and sometimes terminated.

The Pest Detection program is operated under strict oversight by the CDFA. The County and the CDFA prepare an agreement that describes the conduct of the program and how the County is reimbursed. The program has a budget of $2.7 million and has 68 budgeted positions. It employs both permanent and seasonal Agricultural Inspector Aides.

A long-running issue in Pest Detection has been the use of the seasonal Agricultural Inspector Aides. Although these Inspector Aides are ostensibly seasonal workers, many are employed most of the year. As with many other County agencies that employ large numbers of part-time or seasonal workers in nearly a full-time status, the collective bargaining units representing these workers have advocated for granting pay and benefits normally associated with permanent staff. In this case, AFSCME[30] successfully lobbied for a bill in the State Legislature that will place great pressure on the County in this regard.

In 2003, Assembly Bill 185 (Horton) was signed into law by then-Governor Gray Davis. AB185 obligates the County to offer permanent status, pay and benefits to Seasonal Agricultural Inspector Aides employed by the ACWM effective July 1, 2004. Should the County not provide this pay and benefits, the legislation requires the State to terminate the agreement with the County for operating the Pest Detection program. Furthermore, the legislation prohibits the State from paying the costs of these additional benefits leaving it up to the County to absorb the costs.

Currently, the ACWM employs 60 of these seasonal aides. Providing permanent status will cost the County approximately $1.1 million per year. Since the Pest Detection program has no dedicated revenue source these costs will have to be borne by the County's General Fund.

Placing a fruit-fly trap

State funding for the Pest Detection program is not always sufficient to cover the costs of running the program. In some years, the program operates at a deficit. The State has a formula for paying overhead costs that does not always result in

[30] American Federation of State and County Municipal Employees, the bargaining unit for most of ACWM's represented employees.

sufficient funds. Other counties, facing similar cost-recovery issues, have opted out of providing services in the past. Currently, several California counties have opted out, including counties adjoining Los Angeles. The typical argument for retaining the program, other than assisting in the Statewide effort at eradicating destructive pests, is that having a role in the detection process somehow bestows some influence in how infestations are eradicated. County policy-makers want to avoid the use of unpopular eradication techniques such as aerial spraying of pesticides. However, aerial spraying has not been used in eradication since the early 1990s, as other more favorable techniques have come into use (e.g., spot spraying from street level, releasing sterile flies).

AB185 could conceivably be amended prior to full implementation, thereby reducing or eliminating the financial impact to the County. However, should the legislation be implemented as is, the County will have to make a significant policy decision during the spring of 2004. The County will either have to absorb these costs or opt out of providing Pest Detection services. Should the County opt out, the State will most likely provide the service.

Recommendation D1: Consider policy options for Pest Detection.

Prior to July 1, 2004, the ACWM, in conjunction with the Chief Administrative Officer, will have to consider the policy options for the program:

1. Negotiate a more favorable funding option with AFSCME and lobby for an amendment to the legislation;
2. Provide General Fund transfers to ACWM to pay for additional pay and benefits potentially totaling $1.1 million; or
3. Allow the current pest detection agreement with the State to lapse and discontinue operating the program at the County.

Red Imported Fire Ants (RIFA)

Until recently, ACWM operated a program to eradicate Red Imported Fire Ants (RIFA). These ants have migrated into Southern California in recent years and pose a real nuisance to area residents. RIFA are similar to Africanized Honey Bees (aka Killer Bees) in that they are aggressive in protecting their territory and exhibit mass attack behaviors. RIFA can attack and bite their victims and the effect can be excrutiatingly painful.

In recent years, the ACWM has operated a State-funded program to track infestations of RIFA and eradicate them. Nearby counties have also operated similar programs. Eradicating this nuisance is a long-term effort but, unfortunately, the State dropped funding for the program during the recent budget crisis. The Los Angeles County program that dealt with RIFA was then dropped for lack of funding.

Unfortunately, without a concerted and systematic effort to eradicate RIFA the established colonies will slowly spread throughout the region. Private-sector pest control companies have capabilities to eradicate or control individual colonies, but only respond to service calls from residents. They do not, and probably cannot, conduct a systematic, region-wide effort to eradicate RIFA entirely.

Recommendation D2: Consider policy options for RIFA Eradication.

The ACWM, in conjunction with the Chief Administrative Officer, should consider the following policy options for RIFA eradication:

1. Provide funding from the County General Fund to continue the RIFA program at 2002/03 levels (i.e., $1.1 million);
2. Provide funding at a lesser level; or
3. Allow the program to sunset. Consider options for resurrecting the program at a future date.

PEPQ

The Pest Exclusion/Produce Quality (PEPQ) Bureau includes several separate inspection programs:

Pest exclusion. This program prevents the introduction of exotic pests into Los Angeles County that would be harmful to the County's agricultural or horticultural interests. On a daily basis, inspectors examine agricultural and horticultural commodities arriving from domestic origins at recognized "pest risk pathways," (e.g., air freight and parcel delivery companies) or other points of arrival such as wholesale nurseries.

Phyto-certification. This program enables shippers of agricultural and horticultural commodities to certify that shipments to international and domestic destinations are free of pests, as may be required by the authorities at the point of destination. Shippers contact PEPQ to make a request for inspection.

Glassy-Winged Sharpshooter (GWSS). The GWSS is an insect found in Southern California. The insect itself is not a major pest but it is a carrier of Pierce's Disease. This disease is extremely harmful to wine grape plants. Therefore, there are extensive inspection programs in place to prevent the accidental introduction of sharpshooters into the wine grape-growing regions of Northern California. The insects themselves are easy to spot, but the eggs of the insect are very difficult to find. The most common introduction route is through shipments of nursery plants grown in Southern California and then shipped north. The threat of Pierce's Disease necessitates that ACWM inspectors examine every leaf of every plant due to be shipped north, looking for the eggs of sharpshooters.

Certified Farmers' Markets. Certified Farmers' Markets provide an outlet for small farmers and producers to sell their products directly to consumers bypassing the usual agricultural middlemen such as cooperatives and food processing companies. ACWM inspectors visit farmers' markets to ensure that all the vendors have certificates proving that they are the producer or farmer.

Produce standardization. This program ensures that produce sold in Los Angeles County meets appropriate quality, marking and packaging standards. Inspectors conduct daily routine inspections of produce for sale by wholesalers.

Egg standardization. This program ensures that consumers are buying eggs that are appropriately packaged and of proper quality. Each year, inspectors examine a number of egg samples for sale at unspecified retail, wholesale and farmers' market locations to ensure that the eggs meet quality, packaging, and handling standards.

Seed sampling. This program ensures that registered seed dealers are providing seeds that are free of pests and weeds to consumers. Each year, inspectors collect a certain number of seed samples from the County's registered dealers to submit to the State for analysis

Nursery inspections. PEPQ inspectors conduct annual inspections of County nurseries to ensure that nurseries meet statutory cleanliness standards (e.g., free of pests).

The fieldwork for these programs is divided between eight district offices (DOs). One district office focuses exclusively on the GWSS program. The seven other offices, focusing on separate regions within the County, cover all of PEPQ's other programs. Each of the programs has a separate inspection protocol, separate expertise requirements and separate paperwork. On any given day, an inspector at any of the regional district offices is likely to conduct several different kinds of inspections.

PEPQ inspectors perform most of their work autonomously. Until they are sufficiently trained to work independently, new inspectors go along with more experienced inspectors. After the initial training period, however, they receive their own truck and primarily maintain contact with their DO's Agricultural Weights & Measures Inspector III (Inspector III) and PEPQ headquarters through radio and two-way pager.

They work in physically taxing conditions, requiring careful inspection under inconsistent lighting, often in the same day spending extended periods of time inspecting packages in coolers at air freight companies or the produce market, and under the hot sun wandering through farmers' markets or acres of nursery plants.

Generally, the external stakeholders who deal primarily with PEPQ's programs express a positive perception of ACWM's management and performance.

Workload systems

PEPQ has eight databases residing on ACWM servers. It also contributes data to, and makes use of, two databases residing on CDFA servers. Five of the eight ACWM resident databases were written in dBaseIII, an archaic software platform; the oldest one was set up in 1986. More recently, ACWM designed and programmed the other three resident databases in MS-Access 2000 (two in 2002 and one in 2003).

PEPQ's databases primarily serve as workload logs and track results achieved on an individual activity/inspection basis. The primary and nearly exclusive purpose of three of PEPQ's databases is to ensure an audit trail of the prenumbered federal or State forms issued to the County for inspection purposes.

The agency is concerned about the usefulness and functionality of its databases. PEPQ recently submitted a proposal to ACWM management for a new database that would go much further in helping the department manage its workload. The proposal involves using data from several existing databases to produce reports required by CDFA, as well as a report of ACWM employee performance. There are many features that could yet enhance the value of this database.

Based on our research, it appears that PEPQ is underutilizing IT systems and databases that are managed by CDFA. For example, the CDFA system has a function for sorting violation data by type of violation to see if certain shippers were showing up with violations at multiple locations so that inspectors could be advised to be alert. Apparently, PEPQ staff are not trained in the use of this function.

Besides existing IT tools, CDFA is developing methods of automating some of the paperwork entailed in performing activities which PEPQ conducts per State contract, including the phyto-certification process and possibly high-risk pest exclusion activities. CDFA plans to develop automated processes to efficiently and uniformly capture program data and automatically generate State reports. CDFA is developing these as internet-based applications, which would allow local agencies to access them as though they were resident databases at the County, though they would be maintained by, and located at CDFA. The Department anticipates the use of hand held computing equipment from which inspectors could print inspection reports, and transmit data via the internet to a State database capable of generating State reports and performance analyses.

Recommendation D-3: Adopt systems provided, or being developed, by CDFA.

The ACWM should refrain from any IT development for PEPQ programs, until the scope and functionality of IT systems being developed by CDFA are clear. To the extent that the CDFA systems are compatible with ACWM procedures, ACWM should adopt these systems. In addition, PEPQ managers should become familiar with programs and IT functions currently offered by CDFA and evaluate them for use by PEPQ inspectors.

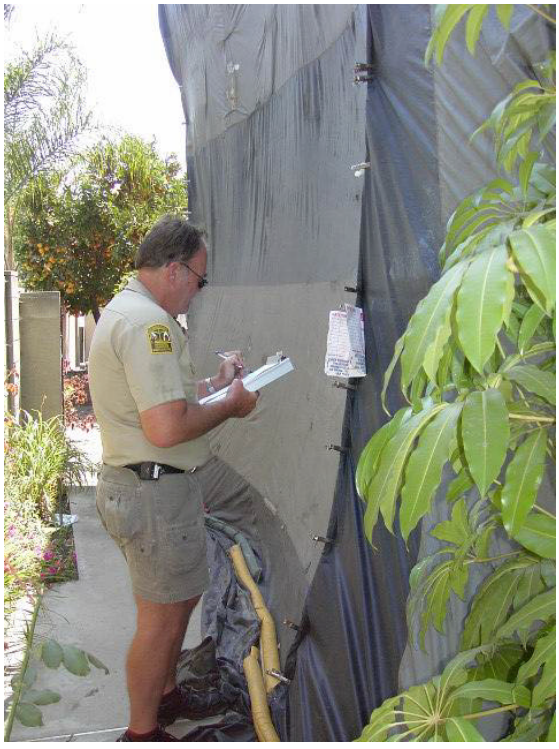
Pesticide Use Regulation

The Pesticide Use Regulation program monitors companies that apply pesticides in agricultural and structural applications. The unit performs field inspections of fumigation and other pesticide application jobs, inspects pesticide company records and provides training for operators. Structural applications can be of three different types:

- Branch 1 – Home fumigation (injecting gas into structures to kill termites and other pests; this process is a familiar sight to residents when houses are covered in tarps)
- Branch 2 – Home spraying and putting out bait stations (e.g., fleas, roaches),
- Branch 3 – Spot treatment of termites

Branch 1 applications or fumigations are the most common applications and are a major focus of the Pesticide Use Program. Besides farms, agricultural applications can include golf courses, parks and cemeteries.

ACWM inspectors do drive-by inspections of job sites and audits of pesticide company offices. Fumigation companies notify the ACWM when and where they plan on performing fumigation work, but their crews can show up at any time. Observing crews in operation involves quite a lot of guesswork. ACWM inspectors try to show up at the same time to observe the crew do their work. When a crew is not present, inspectors inspect tarped-off structures and ensure that the job site is in accordance with regulations (e.g., notices posted, no tears in tarps). A typical violation involves improper aeration of a structure once the tarps have come off. Should workers enter a fumigated house too soon or if they don't use a breathing apparatus, long-term health damage or even death (a gruesome death) can occur.

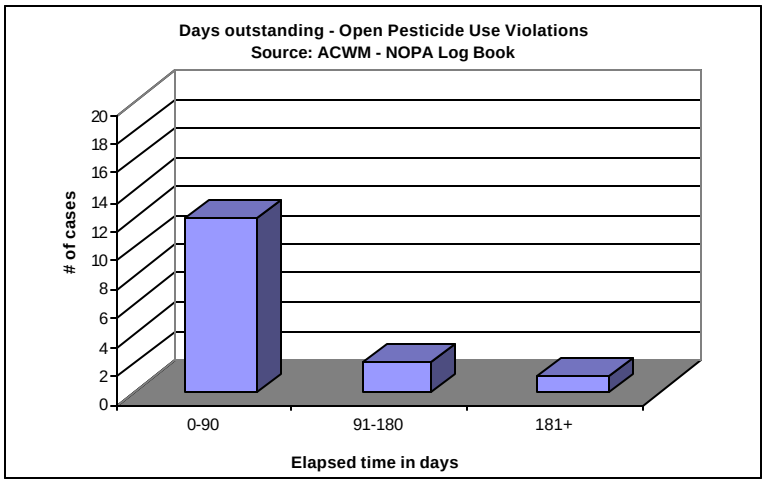


Pesticide use inspector inspecting a warning sign left by a fumigation company

The Pesticide Use Regulation program comprises 20 budgeted positions. The 2002/03 budget for the program was $1.4 million. The program is overseen by the California Department of Pesticide Regulation (CDPR) and the California Structural Pest Control Board. CDPR provides the majority of the program's budget.

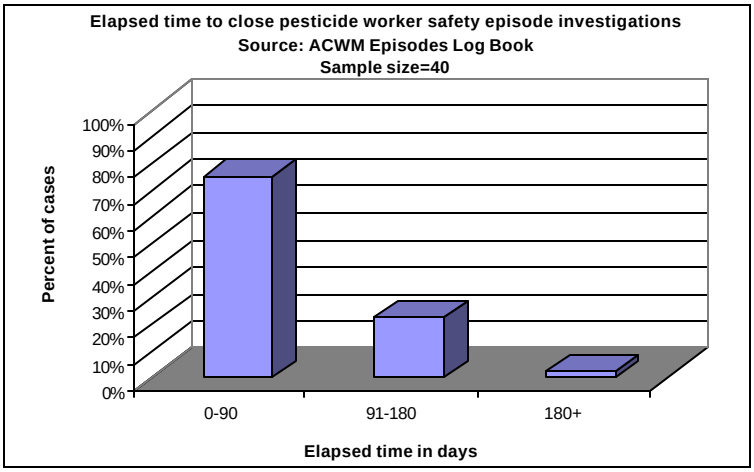
A key program function is to process violations of the California Food and Agriculture Code where pesticide use regulations are codified. Figure D-1 below shows the status of violations that have not yet been resolved. As seen, 12 of the 15 open violations (80%) are less than 90 days old. There is no standard for resolving these violations as companies have due process rights that can take a while to be exercised. Most violations are settled when companies pay a fine. In particularly egregious cases, CDPR will prosecute the operators of a pesticide company.

Figure D-1: Days Outstanding – Pesticide Use Violations



Another function of the program is to investigate worker safety incidents and accidental exposure to pesticides.[31] These incidents are assigned to the ACWM by CDPR. Investigations performed by the program should be completed within 90 days. Figure D-2 below shows the status of closed investigations. Of the 40 investigations assigned and closed during CY 2003, 75% were closed out within 90 days; 97% (or all but one) were closed out within 180 days.

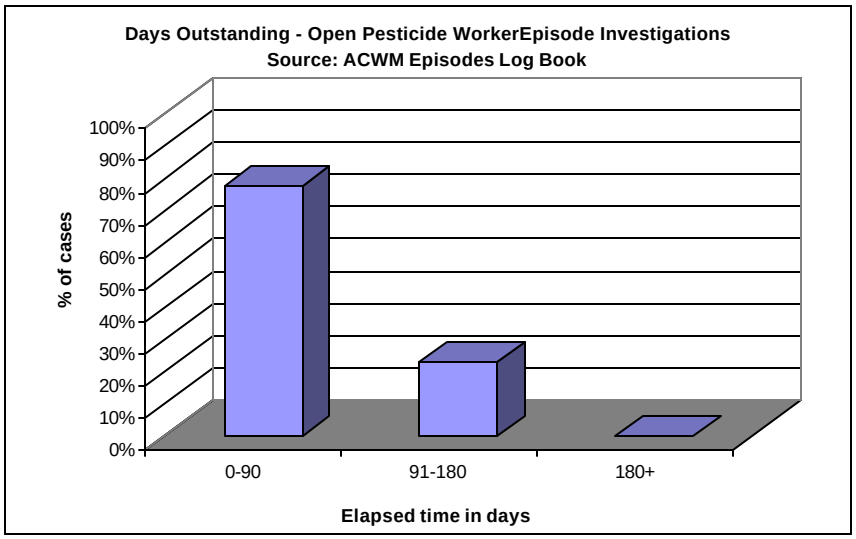
Figure D-2: Time to Close Worker Safety Episode Investigations



[31] Some of the accidental exposures turn out to be suicides or attempts.

Figure D-3 below shows the status of open investigations. Of the 53 open investigations (as of October 2, 2003) 77% were less than 90 days old.

Figure D-3: Days Outstanding – Open Worker Safety Investigations



Uniformed versus undercover investigations

A key issue is the debate over uniformed inspections. Inspectors are uniformed and drive around in marked vehicles. When inspectors drive up to a job in progress they often spot violations, such as workers entering buildings without breathing apparatus or not staying at a job site for the required two hours during the aeration stage. To avoid violations, fumigation crews train themselves to scout the vicinity of a job site before starting work, looking for the presence of a ACWM inspector. Should they spot a marked vehicle they are likely to be on their best behavior and follow regulations. This lessens the opportunity for inspectors to spot violations, identify the problem operators and take corrective action.

Recommendation D-4: Conduct more undercover investigations.

The ACWM should use unmarked vehicles while conducting inspections to avoid tipping off fumigation crews to their presence. This will allow inspectors to more effectively identify problem operators and take corrective action.

Section E – Workload Management

This section describes the workload management systems, automated, manual or both, used by the ACWM programs. Findings regarding each program are compiled in this section as many of the findings cut across all programs and recommendations broadly apply across the agency.

ACWM programs generally use a combination of paper-based data collection processes in the field and standalone databases in the back office. Most of the databases are programmed using dBase III, a database management program originally developed in the 1980s. ACWM databases are mostly standalone systems that perform a specific function and are not linked to other systems serving the same program. These limitations result in inefficient processes, exposure to catastrophic loss of data and limited effectiveness in accomplishing agency goals.

The agency is aware of these limitations and is slowly redesigning the existing databases and evaluating other options for managing program workload.

The findings in this section were prepared from various sources, including process maps, descriptions of the databases, work activity descriptions, samples of forms and reports, and observations of the ACWM systems and how they are used. Documentation in this report includes process maps found in Appendix 1 and database/work activity logs found in Appendix 2.

Data collection in the field

Use of paper forms

All field inspection programs rely on the use of paper forms for capturing data in the field. These include inspection reports, notices of violation, evidence collection forms, daily workload collection forms and requests for follow-up processing sent to back office personnel. Many of these paper forms are designed by CDFA. Some are even printed by State or federal agencies such as the U.S. Department of Agriculture. These paper forms become source documents used in updating databases regarding inspection findings or as

evidentiary documents in the event that inspected businesses or property owners are prosecuted or, vice versa, the property owner or business sues the County.[32]

While the use of paper forms is by no means uncommon it does have several disadvantages:

1. Information is usually captured twice: 1) when the event or condition (e.g., a scanner overcharge) is observed and documented on the form; and 2) when the information is then transcribed from the form into some database or computer system. This duplication adds time and cost to the overall process;

2. Functions such as mathematical calculations must be performed by hand and then transcribed onto the paper forms;

3. Paper forms, either blank or full of information, are susceptible to damage or loss; and

4. The cost of printing, storing, issuing, collecting, tracking and archiving paper forms is much higher.

Automating data collection in the field can be expensive and complicated but it is becoming increasingly easier and cheaper due to the advent of hand held computer devices.

Recommendation E-1: Implement hand held computers for all programs.

The ACWM should procure and roll out hand held computers[33] for use by field inspectors. The programming for these devices would depend on the specific software used in each program. Recommendations for this software are covered elsewhere in this section, but here are some general principles to keep in mind.

All data collected in the field is captured on paper forms. Here a BPI inspector completes an inspection report after a visit to a grocery store

Hand held computers have small screens that are designed for displaying or entering smaller amounts of information at a time than what is possible with larger notebook or desktop PCs. Rather than trying to replicate the look and feel of a notebook or desktop computer, IT staff should design hand held computers to capture small bits of information at a time. For example, two or three fields of information should be captured at a time rather than everything at once. For example, some of the existing forms in the ACWM are very dense and contain a lot of boxes for recording

[32] For example, if a property owner sues over a dispute involving assessing weed clearance fees.
[33] Hand held computers are also referred to as Personal Digital Assistants or PDAs. There are some differences between the two but both can be used effectively for field data collection.

information. A hand held computer would only present a few portions of the data entry at a time, and then only what is required for the inspection.

Hand held computers can be optimized by using MS-Windows features such as pull-down menus for things like code sections, violation codes, merchandise category or insect species, etc. The inspector just clicks on the menu item desired and the data fills in the blank field on the form. Using a standard interface such as MS-Windows makes it easier to program the devices. It is also easier for inspectors to use since the look and feel of the screens are similar from program to program. This is a key feature given the need to rotate staff across programs at the ACWM.

Many hand held computer devices are installed with small printers that print receipt-sized documents. Although the size of this output is limited it is much more convenient to use than having a separate letter-sized printer. Having a separate letter-sized printer requires carrying more equipment during field inspections and increases the potential for equipment breakdowns and other hassles. As much as possible, the ACWM should rely on the receipt-sized printer. With some adaptation, this printer can provide the same functionality as a full-sized printer.

The ACWM should implement hand held computers in phases. Phase 1 should include these programs:

- **Weed abatement**. As discussed in Section C, the County is implementing the KIVA system for land-based regulatory programs in the County. We recommend that the KIVA system be evaluated for its consistency with the requirements of the weed abatement program. The KIVA system has been successfully adapted for use on hand held computers. The ACWM should explore this use if the KIVA system proves adaptable to weed abatement.

- **Weights & Measures**. Given the broad IT development needs and the number of inspections performed in this bureau, IT should be a priority not only for redesigned workload management but also implementation of hand held computers.

- **Pesticide Use Regulation**. This program is much smaller than the combined Weights & Measures area, but has a similar paper-dependent process.

Estimated cost: $100,000 to $200,000.

Field office connectivity

Many field office personnel work in field offices scattered around the County and rarely go to either of the main ACWM facilities. These field offices only have basic office features and lack any high-speed connectivity that would allow field office-based staff to transmit data efficiently to the computer servers located in Southgate and Arcadia. This limits the

potential productivity enhancements that could be achieved with hand held computer devices or by installing desk top PCs in the field offices.

Recommendation E-2: Install high-speed data connections in field offices.

Installing high-speed connections in the field offices would facilitate the use of hand held computers since data from these devices would need to be uploaded to the Department server when the inspector reported in. This connection could be a secure connection or a commonly available DSL or cable modem.

Back office systems

The following discussion describes issues associated with back office systems. These are systems for maintaining the data produced in the field and used for follow-up processes such as letters to property owners, violations, prosecutions, complaint processing, etc.

No backup for paper records

A significant amount of information captured on paper forms in the field is never transferred to a computerized database. Instead the information is maintained only on the original paper forms. Examples include the inspection and clearance records for weed abatement and the inspection history (e.g., district cards) for scales and meters. Maintaining important data with paper records exposes the agency to catastrophic loss of data through a fire or a false fire alarm that would trigger sprinklers. Water damage can be just as debilitating as fire damage. District cards are stored in a room in Southgate that does not have sprinklers. A fire in that room could likely destroy the cards before fire crews arrived.

The department does perform regular backups of computerized databases, but there is no practical way to back up paper-based records particularly since those records are updated on a daily basis during field inspections.

Database software

Most of the back office systems rely on a database management software package called dBase III. dBase was originally produced and marketed in the early 1980s. Although the package is still available today, it has been eclipsed by other database management tools such as Microsoft Access. The ACWM database programs written in dBase mostly date from the late 1980s or early 1990s. In the past few years, the agency has relied more on MS-Access and is steadily converting older databases written on dBase to the MS-Access platform.

A significant advantage of MS-Access is that the package is widely distributed and used. It is much easier to find and recruit staff that have used Access. It is also much easier to find IT professionals and contractors that can create and/or modify a database program using Access. Despite whatever technical advantages dBase III has over Access, it is getting more difficult every year to find capable people that understand the dBase package as it becomes more obscure.

Management reporting

Besides serving as a repository of activity and findings from the agency's inspection activities, workload management systems can also provide many useful functions for management. These functions include:

- Tracking inspection backlogs – how many inspections are overdue given statutorily mandated or agency-specified inspection frequencies
- Aging of accounts receivable
- Aging of overdue inspections
- Tracking of complaints and follow-up
- Productivity statistics such as inspections per day or hour
- Status of violations and follow-up
- Program economics such as direct revenues and costs

The existing workload management systems contain some of these features, but they usually require customized report writing skills or they have to be addressed by the IT staff. In our review there was very little readily available management information. The systems are mostly designed to provide statistical data required by CDFA and CDPR as a condition of inter-agency agreements and funding formulas. These data mostly addressed workload volumes and inspector hours.

The existing databases do not have easily accessed functions for identifying backlogs. ACWM staff occasionally produce reports that show backlogged inspections, but this is not a systematic or regular undertaking. As the statistics in Sections B and C show, the agency does a good job of keeping up with inspections in programs such as weed abatement. In other programs such as scales and meters, inspections tend to get backlogged. A more robust workload management system would have functions for alerting management of this so that the most out-of-date inspections could be addressed.

The agency receives complaints from the public or businesses that have concerns about safety, business integrity or consumer protection issues. The ACWM has systems for logging complaints and tracking responses but, as with routine inspections, there is little functionality for ensuring follow-up of complaints. The complaints database prints a "Record of Complaint" report that an inspector uses to conduct an investigation. As the statistics in Section B show, the agency has a good record of following up in a timely manner. The statistics also show that a fair number of the printed complaint forms end up missing and there is no functionality for identifying these so that they can be reprinted and investigated.

Recommendations for enhancing back office systems are program-specific and are found later in this section and in Section C (Weed Abatement) and Section D (Other Programs-PEPQ).

Consumer protection

The consumer protection programs within the Weights & Measures Bureau are managed using separate and very different systems. The Devices and BPI Divisions use dBase III software to track the location and registration status of businesses that are subject to regulation by these programs. The BIPFEE database, for example, contains 25,000 records of businesses that have scales, meters and gas pumps. Other smaller databases are used in the BPI Division for the weighmaster,[34] quantity control and meat audit inspection programs. These databases are primarily used to register businesses and assess the annual device registration fees. BIPFEE integrates with the T&TC system to send out annual assessments.

Augmenting the databases, the Devices and BPI Divisions have thousands of 6"-by-8" index cards containing the inspection and violation history of registered businesses. These index cards, called district cards because the businesses are organized by districts, have been used for decades. At one time the card system, referred to by the brand name of Kardex, was a state-of-the-art system for organizing route sales and other field-based businesses.[35] The Kardex system has some significant drawbacks:

- The cards are made of paper which makes them susceptible to catastrophic loss from fire and the cards are stored in a room that does not have sprinklers
- The information is not digitized making it impossible to manipulate the data for management purposes
- As has happened at the ACWM, the cards can go missing, thereby effectively eliminating all history on the account or business

In our audit of the district cards we found that a significant number were missing[36] (See Section B). While a new card can be created by a field inspector by referring to a report from the BIPFEE database, the information on the cards including inspection and violation history is lost.

During a scanner inspection, this TV remote, priced for sale at $6.59 scanned for $9.99 at the checkout counter

The Price Verification or Scanners Division is more automated. MS-Access databases have been created to register businesses and record inspection history and violations. The various elements of the database have been integrated and are much more modern in design than the agency's dBase-powered databases. The Price Verification Division also uses paper forms to capture data in the field and also uses dBase

[34] Weighmasters are typically recyclers that buy scrap materials by weight.
[35] Interestingly, in this digital age, the Kardex system is still available commercially from Kardex Systems, Inc. of Ohio.
[36] Our audit showed that 25% of the cards were missing.

for some ancillary functions such as complaint tracking, but does not have the severe limitations of the Devices and BPI Divisions.

A major limitation of the W&M Bureau as a whole is that the programs all have separate databases (digital or paper-based), thereby limiting the ability of inspectors and Bureau managers to track the performance of businesses across programs. A grocery store in Altadena may have scanner violations, counter scale violations and incorrectly packaged meat and deli items, but the inspectors would only be aware of what has happened within their own program. There is a significant amount of overlap between the businesses regulated by all the programs so this limitation has some serious drawbacks. A consolidated database of businesses would allow inspectors to view the inspection and violation history of each business. In addition, a Devices inspector may notice a new checkout scanner at a business. Without a consolidated database the inspector would not know to notify the Price Verification Division about the discovery.

Recommendation E-3: Consolidate the W&M databases.

The W&M Bureau should consolidate all W&M program databases using the existing scanners database as a platform. This will accomplish:

- The modernization of the Devices and BPI workload management systems
- A better overall record of the performance of each regulated business
- Easier rotation of inspectors among W&M programs

In addition, the programs should implement hand held computer devices to automate the field data collection process.

It should be mentioned that the KIVA system marketed by the Accela Corporation, (described in Section C under Weed Abatement) could potentially be adapted for use in a Weights & Measures environment although it has not actually been implemented for this application anywhere. A KIVA-based workload management system would have significant advantages, such as a proven platform, a hand held computer feature and consistency with inspection programs in other County agencies. However, until the Accela Corporation has successfully adapted the system for this specific program area the agency should regard this application with caution. Estimated cost: $50,000 to $100,000.

Pesticide Use Regulation

The Pesticide Use Regulation Division uses a mix of dBase and MS-Access-powered databases for managing inspections, violations, payment of fees and reporting fumigations. The workload management process involves significant amounts of paper handling and duplicate data entry. The processing of violations is particularly paper-intensive and duplicative. In processing violations, some data is entered in a database or on paper three or four separate times. See Appendices 1 and 2 for details on the process and databases.

Many procedures and data collection documents (such as the “Use Monitoring Inspection” form) are prescribed by the State. Modifying the process or forms will have to be done in conjunction with oversight agencies at the State level. However, much of the back office

process can be modernized without any State oversight. For example, the database used for tracking fumigation operators was recently redesigned using MS-Access.

The ACWM is evaluating the use of scanners to capture daily "Notice of Intent" forms and monthly workload reports from fumigation operators.[37] This application is being pioneered by San Diego County. The scanned forms would be interpreted by a computer using Intelligent Character Recognition (ICR), a technology that converts scanned images into digital data. ICR is an excellent application when workload volumes are high and there is no other feasible way to capture the data digitally at the source (e.g., off a website) and the data will be used multiple times in the future.[38] Unfortunately, ICR is notoriously unreliable at translating scanned handwritten data into digital data. Typically, the data must be edited after the ICR process which slows down the conversion. The application may hold some potential for expediting the transfer of data from fumigation operators to the regulatory agencies, but it should be tested and proven from a cost/benefit perspective before adopted by the ACWM. Other more reliable methods are available for capturing this data that wouldn't involve scanning.

Recommendation E-4: Continue to reengineer existing pesticide use databases in Microsoft Access.

The ACWM should continue to redesign the existing dBase-powered databases using MS-Access. As with the other ACWM programs, the agency should also migrate to hand held computer devices for this program.

Recommendation E-5: Evaluate NOI/1053 reporting.

The ACWM should carefully evaluate the costs and benefits of adopting the NOI/1053 reporting system being developed in San Diego County. The ACWM should also seek other more reliable methods for capturing this data. The ACWM website already has an NOI reporting feature. The website should be enhanced to handle 1053 reporting as well. These methods can facilitate the digitizing of fumigation operator data without the hassle and cost of scanning and ICR.

Geographic Information System (GIS)

As mentioned in Section C, the Weed Abatement program is experimenting with a Geographic Information System (GIS) for tracking declared parcels. GIS is an ideal application for this function as well as other ACWM programs. Currently, Weed Abatement is the only program that is actively implementing GIS. GIS is being implemented by managers in that program without resorting to support from the IT unit. Furthermore, other program managers are exploring the potential for GIS in their areas, but without the benefit of a coordinated approach or strategy toward agency-wide GIS. Ultimately, this may lead to much duplication of effort and missed opportunities.

[37] The daily Notice of Intent (NOI) form is used to notify the agency of an impending fumigation job. The agency can then elect to send an inspector out to observe the operator at work. The monthly "1053 report" is used to report the number of fumigation jobs performed. A $5.00 fee per job is assessed on operators based on reported workloads.

[38] An ideal application for ICR is processing voter registration forms. The data from the forms is used for years and it is not practical to obtain the data in any method other than a handwritten form since an original signature is required.

Recommendation E-6: Coordinate an agency-wide GIS implementation.

The ACWM should adopt a coordinated GIS strategy as part of the annual business automation planning cycle. An executive sponsor should spearhead the effort and lend credibility to the idea of agency-wide GIS planning. Requirements should be solicited from all divisions and incorporated into the planning. This coordinated strategy should address the potential for GIS in:

- Pest detection – tracking pest infestations and trap locations
- Pest management and pesticide regulation – tracking the location of noxious weeds and locations of environmentally sensitive areas to avoid spraying of herbicides nearby
- All programs – highlighting the location of out-of-date inspections (W&M, pesticide operators, declared lots, certified farmers' markets, nurseries)

Cross-matching

Under State and local law, many businesses must register with the ACWM. These businesses include:

- Any business operating a checkout scanner
- Any business operating a scale or meter for commercial purposes
- Certified farmers' markets
- Horticultural nurseries
- Pesticide operators

Most businesses register voluntarily, however, some do not either out of ignorance or intentional disregard. The ACWM will add businesses to the existing databases as they are discovered by an inspector doing his or her regular rounds. To ensure that all businesses subject to regulation are being inspected, the ACWM should perform limited cross-matching.

Recommendation E-7: Investigate doing annual or biennial cross-match.

The ACWM should investigate the potential for doing annual or biennial cross-matching of their databases with the T&TC database or possibly a database containing business telephone directory listings (e.g., DEX).

Agency website

The ACWM has a useful website[39] with many features. These include a list of stores with scanner violations; on-line complaint forms; the agency strategic plan; useful consumer information such as information on killer bees and invasive weeds; industry resources for

[39] http://acwm.co.la.ca.us

pesticide operators including registration forms; and many links to other agencies, including State agencies.

Recommendation E-8: Augment website as applications become feasible.

The ACWM should consider additional website features such as on-line registration for businesses using scanners, scales, meters, or gas pumps.

Communication in the field

ACWM inspectors travel in the field for much of their workweek. They are typically equipped with County-issued radios and Blackberry pagers. Despite this equipment, most field staff rely heavily on personal cellular phones to communicate with the office, inspectees and others. Staff are not reimbursed for their cellphone use. Most staff feel that cellphones are much more versatile: they can use them while driving unlike a pager, and they can communicate with inspectees and others outside County government which is not possible with radios.

Recommendation E-9: Issue cellphones and adopt the County policy regarding reimbursement.

To improve field communications, the ACWM should issue County-purchased cellphones to employees that work predominantly in the field. Reimbursement should align with the established County policy.

Section F – Performance Measures

A performance measure is a quantitative indicator that links to a program or agency goal and enables measurement of the degree of accomplishment of that goal. If the goal is the intended destination, think of a performance measure as an odometer reading that indicates what milepost has been reached.

The ACWM uses and tracks performance measures as part of the annual budgeting process. ACWM managers also use ad hoc measurements to address specific problems such as inspection backlogs. These measures include workload, efficiency and quality (or outcome) measures. Many of these measures change from year to year making it difficult to identify trends. In addition, it is not clear how frequently or formally measures are tracked during the year.

As part of this project, we were asked by ACWM managers to evaluate the current set of program indicators and recommend useful indicators that could be used and reported by ACWM management. Tracking program outcome indicators is the most difficult because:

- It is difficult to identify indicators that measure an outcome the agency actually has control over
- Workload management systems are typically much more adept at measuring inputs and outputs rather than program results

Despite these limitations, we were able to identify a set of measures that would be relatively easy to administer and would have significant value in indicating whether the agency is achieving its goals.

During 2003, the County Administrative Office conducted a project called "Performance Counts!" This project involved examining each County agency and identifying program indicators and operational measures that could be used. We analyzed the suggested program indicators derived for ACWM and evaluated these for their ability to efficiently and accurately report on agency performance.

We then used our knowledge of each program and developed measures for each that would satisfy our criteria for effective program indicators:

1. Measures must have some nexus with the overall mission of the unit or division even if that mission is not actually documented anywhere;

2. Measures should be relatively easy to administer; as much as possible, measures should be able to be constructed and reported using existing information systems or other data collection methods;

3. The measures should be few in number. Most organizations, public or private, should be able to distill their mission into no more than three key outcome measures. Given that the ACWM is a conglomerate of many separate programs the total number of outcome measures should be less than 20 agencywide;

4. The measures should truly be outcome-oriented and not just a rephrasing of another type of measure such as the number of outputs or workload counts; and

5. Most important, outcomes that are measured should be largely controllable by the agency.

Recommendation F-1: Implement a concise set of program indicators.

The ACWM should consider implementing the following set of measures. The measures are organized by program area and include a discussion of each program's mission and the nexus with the actual measures.

Pest Detection

Although this program has a clear outcome: minimize infestations and quickly eradicate infestations that are found, neither of these outcomes is controllable by the ACWM. Infestations identified by the ACWM are isolated and eradicated by State personnel, not the ACWM. The controllable outcome for the ACWM is really a quality control factor: ability to quickly identify an infestation. This is a factor of how frequently the ACWM checks traps and compiles and analyzes the results. Ideal outcome measures for this program would be:

- Percent of infestations found before spreading to a square mile
- Number of fruit quarantines resulting from fruit-fly infestations

The ACWM should also continue to track quality control and efficiency measures such as:

- Percent of quality control specimens recovered
- Traps serviced per-inspector hour

Produce Quality

The ACWM has more control over the ultimate outcome of the Produce Quality, in this case consumer confidence in the quality and safety of agricultural products. However, the outcome is very difficult to measure without a statistically valid survey of consumer sentiment. Improving confidence may be more of a function of what occurs on the farm or the packing house than anything else. One outcome measure that may be easier to implement involves the Egg program. This would be:

- Number of egg-related food-borne illnesses reported to the Department of Health Services

We also recommend focusing on quality control indicators and operational efficiency measures for this program such as:

- Lots inspected per-inspector hour

Nursery Inspection

As with Produce Quality, the quality of nursery stock is largely out of ACWM's control. However, it is easier to measure the quality of inspection by calculating:

- Percent of plant shipments rejected at destination

In addition, efficiency should be measured by:

- Acres inspected per-inspector hour

There is also enough data available from the CDFA to benchmark the County against peer counties using this measure.

Pest Exclusion

This is another program where it is difficult to measure outcomes. If the inspectors miss pest infestations on incoming produce, it does not become apparent until much later and it is difficult to trace the infestation to a specific missed inspection or even a specific agency or County. We recommend limiting measures to efficiency measures such as:

- Shipments inspected per hour
- Percent of shipments inspected on the same day as requested

Weed Abatement

The outcome of this program is clearly defined: no property damage or loss of life resulting from wildfires conducted from vacant parcels. Collecting and qualifying data to prove the essential nexus between outcomes and ACWM performance may be cumbersome if not impossible. Each incident or damaged structure would have to be assessed to determine where the fire came from. In years when no fires occur there would be no data to evaluate outcomes. As a substitute, we recommend implementing measures that evaluate the timeliness of clearance operations:

- Percent of declared parcels inspected by September 1
- Percent of declared parcels cleared by October 1

Clearance outcomes are controllable by ACWM, are easy to measure and have a recognized nexus with success in fire suppression. We also recommend measuring efficiency with:

- Parcels inspected per hour

Pest Management

This program shares similarities with private-sector pest management companies. Both are essentially fee-for-service operators and workload is driven by demand (e.g., requests from customers or contracted services). As in the private sector, outcome measures should be financial in nature. Though there is no profit motive in the program, we recommend using a measure of financial discipline:

- Cost recovery (by contract or service call) measured as revenue divided by cost

A customer satisfaction survey could be administered periodically as an additional outcome indicator, although these surveys are notoriously difficult to administer. Leaving behind survey forms during service calls is useful, although the reliability of these forms is questionable since the number and nature of respondents cannot be controlled.[40]

A useful efficiency measure would be:

- Utilization rate of staff (i.e., billable hours divided by total hours)

Testing the scale at a small recycling business

Pesticide Use Regulation

The outcome of this program is oriented toward worker safety in the pest control industry. The goal is to enforce safe work practices to prevent exposure to dangerous chemicals. These outcomes are easily measured by:

- Violations as a percent of locations inspected
- Worker safety incidents as a percent of total fumigations

A useful efficiency measure would be:

- Inspections conducted per hour

Consumer Integrity

This area includes the scanner, devices and business practices programs. The preferred outcome of these programs include reducing pricing violations, out-of-order scales, meters and gas pumps, and reducing illegal packaging, labeling and pricing practices. Useful outcome measures include:

- Scanner violations as a percent of store inspected

[40] The returns from these types of surveys tend to be weighted toward disgruntled customers. While the information may be useful it is not representative of the customer base as a whole given the bias.

- Average overcharge as a percent of total purchase (scanners)
- Device violations as a percent of businesses inspected

Recommended efficiency measures include:

- Average days to resolve complaints (all programs)
- Percent of routine inspections over 365 days in arrears (devices and scanners)
- Businesses inspected per hour (devices and scanners)

Metrology and Toxicology Labs

These two labs are largely fee-supported programs. Measures should be limited to measures of financial discipline such as cost recovery (e.g., fee revenue as a percent of billable costs).

Section G – IT Planning

IT planning

The Management and Technical Services Division within ACWM (i.e., the IT department) produces an annual Business Automation Plan (BAP) that ties IT initiatives to ACWM business goals and the County's overall strategic goals. The plan also lists and costs out specific IT projects incorporated within the plan. The Division also produces an annual "wish list" of IT infrastructure investments. This wish list may have an informal connection to the BAP. From this wish list, specific projects or initiatives are funded by ACWM executives subject to budget availability. This informal approach to IT investment may result in a scattershot approach to improving the many IT deficiencies found throughout the agency. A more systematic ranking of IT projects to fund, based on strategic need and risk, would be a more appropriate way to invest in IT infrastructure. In addition, there should be a direct, causal link between the BAP and the agency budget. The BAP should drive budget requests rather than merely picking off items from a wish list to fund.

Recommendation G-1: Follow a more systematic approach to IT investment.

The ACWM should adopt a more rigorous, systematic approach to IT investment. The BAP should be prepared on an annual basis prior to the annual budget development cycle. The BAP should be prioritized to emphasize projects that match up with strategic goals or mitigate more serious operational risks. The modernization of the W&M workload management system should be at the top of that list. The BAP should be reviewed and signed off by all the Bureau Chiefs and then used to develop specific budget requests.

APPENDICES

Appendix 1 – Process maps

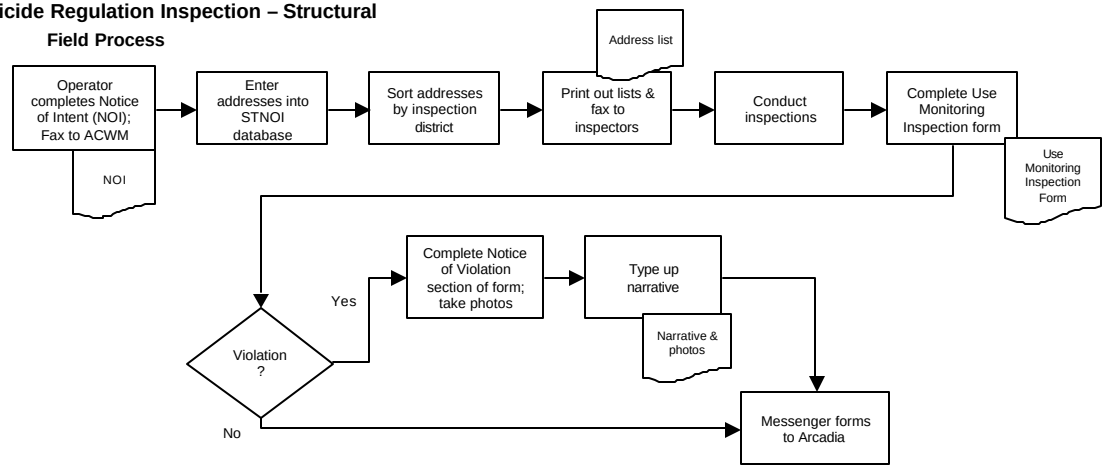
Appendix 2 – Description of databases

Appendix 3 – Program information matrix

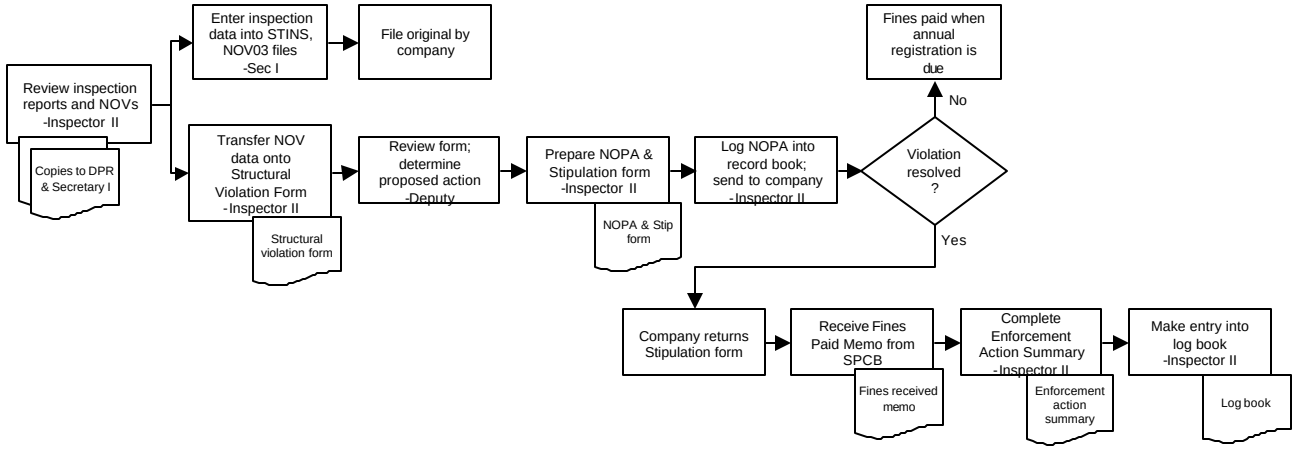
Appendix 4 – Glossary

Appendix 1 – Process Maps
Mgmt Audit of LA County ACWM
Map: Pesticide Regulation Inspection – Structural
8/28/03

Field Process

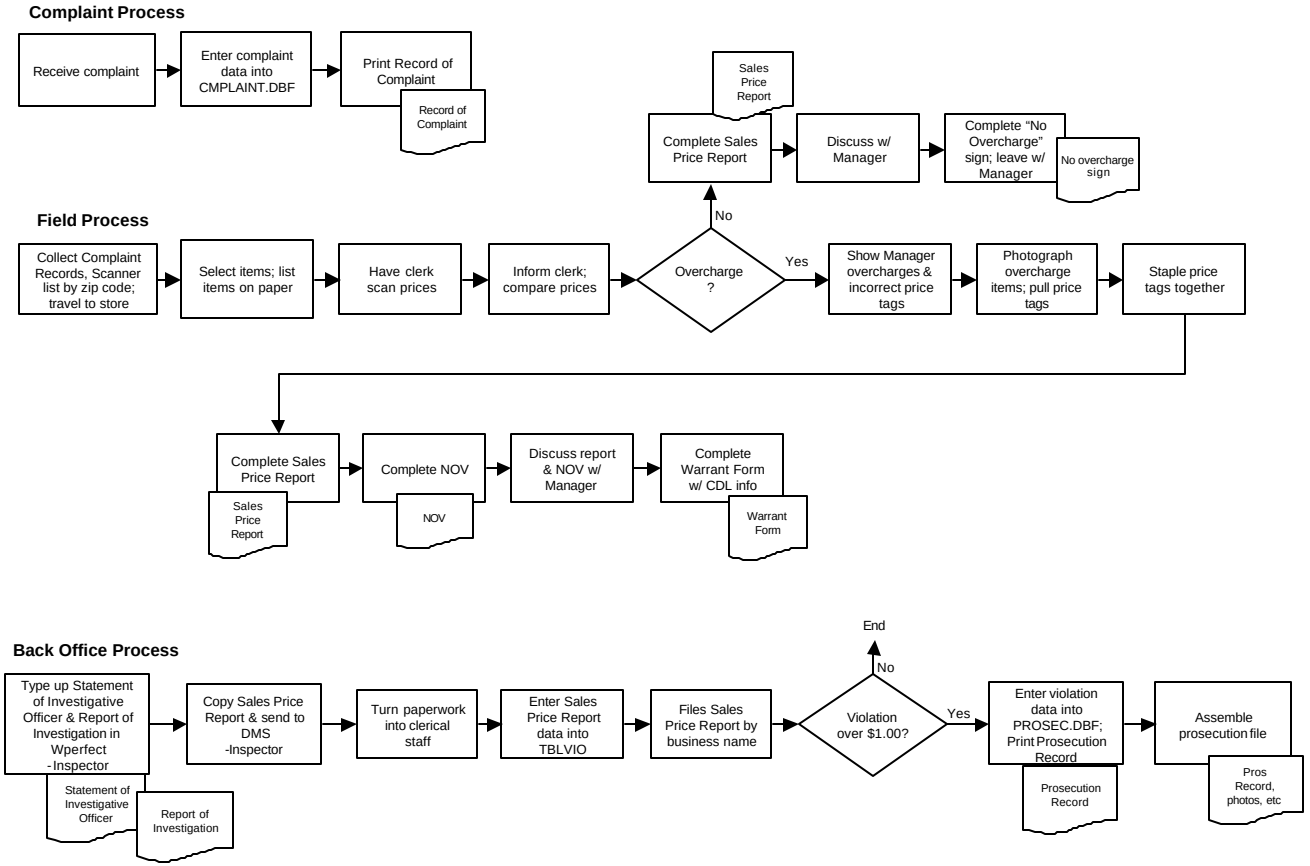


Back Office Process



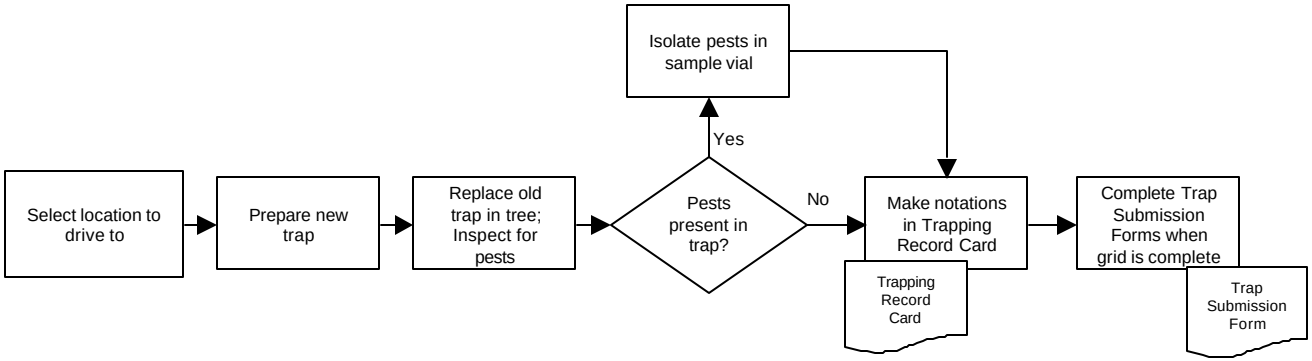
STRATEGICA

Appendix 1 – Process Maps
Mgmt Audit of LA County ACWM
Map: Price Verification / Scanners
9/3/03



STRATEGICA

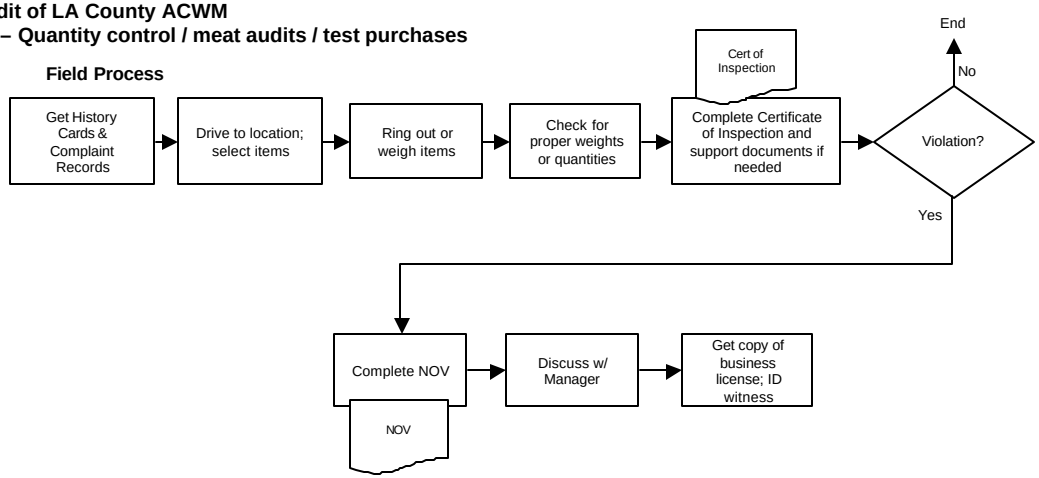
Appendix 1 – Process Maps
Mgmt Audit of LA County ACWM
Map: Pest Detection
9/4/03



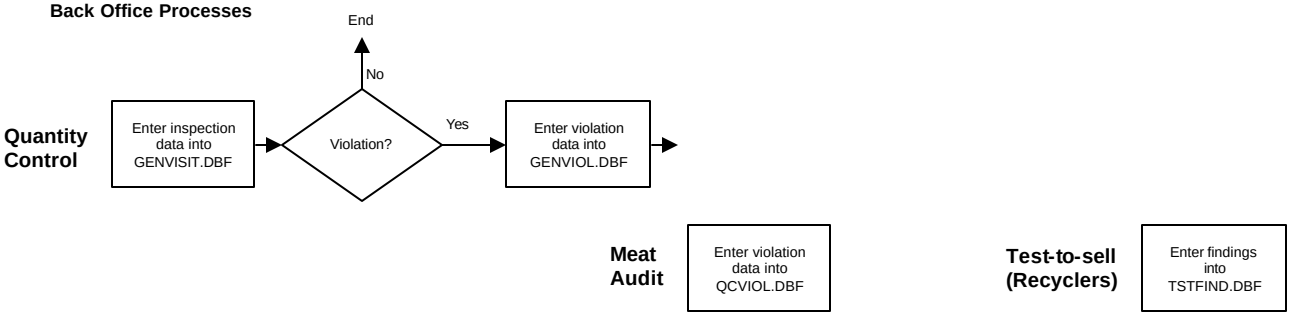
STRATEGICA

Appendix 1 – Process Maps
Mgmt Audit of LA County ACWM
Map: BPI – Quantity control / meat audits / test purchases
9/18/03

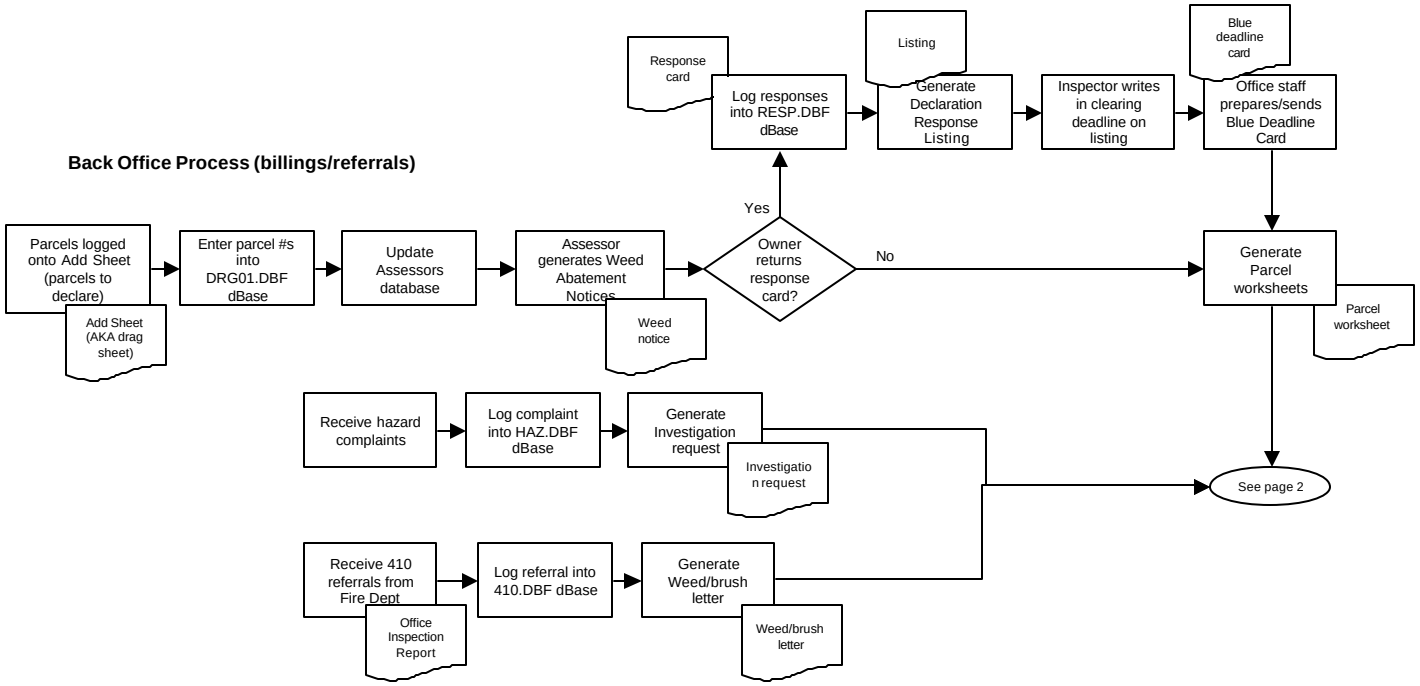
Field Process



Back Office Processes



Appendix 1 – Process Maps
Mgmt Audit of LA County ACWM
Map: Weed Abatement (page 1 of 2)
9/8/03



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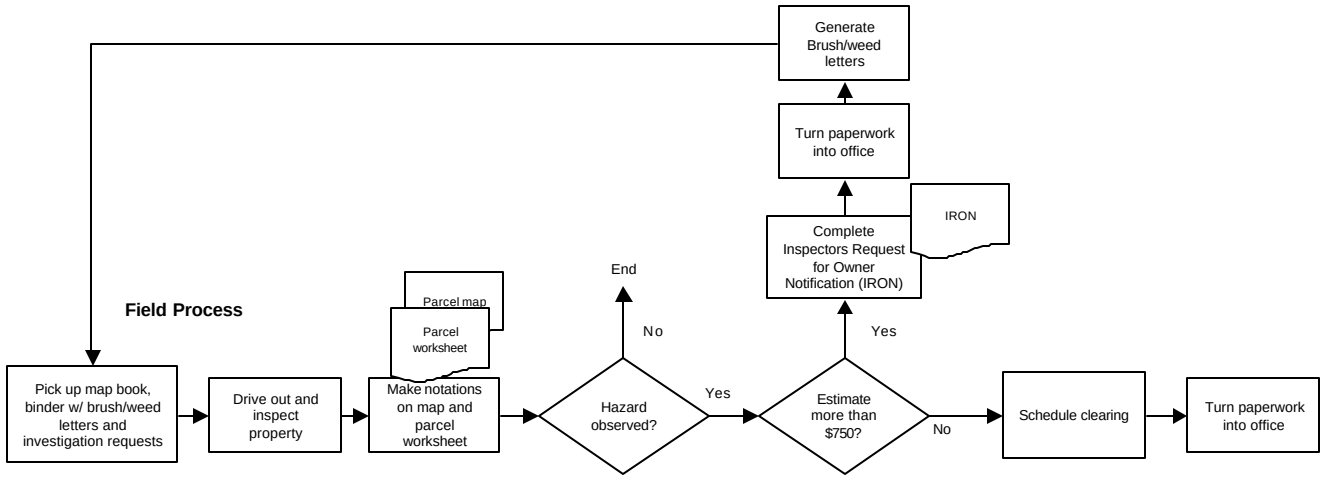
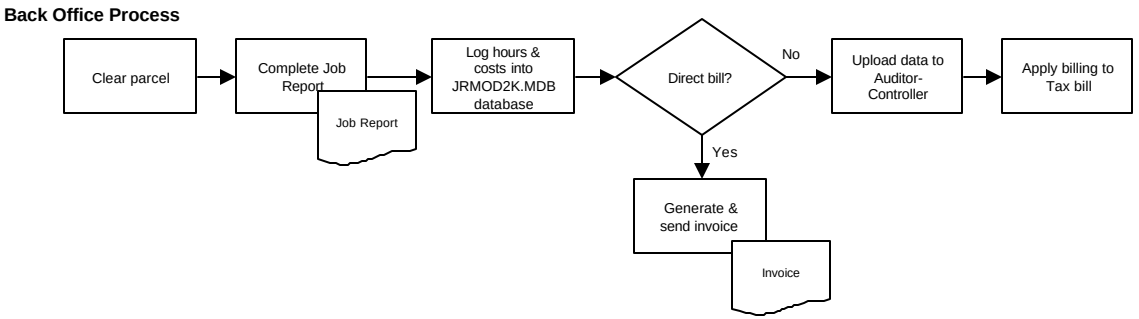
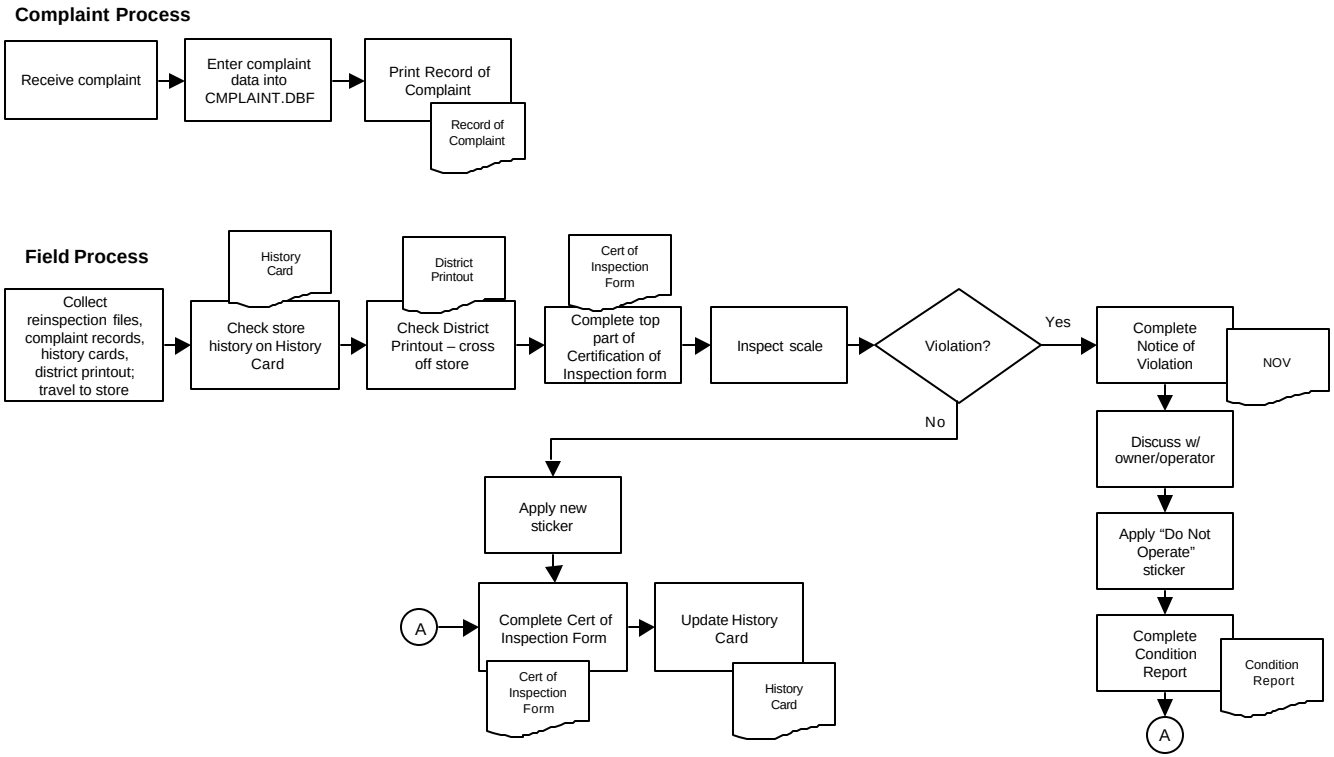
Appendix 1 – Process Maps
Mgmt Audit of LA County ACWM
Map: Weed Abatement (page 2 of 2)
9/8/03





STRATEGICA

Appendix 1 – Process Maps
Mgmt Audit of LA County ACWM
Map: Device Inspections (page 1 of 2)
9/15/03



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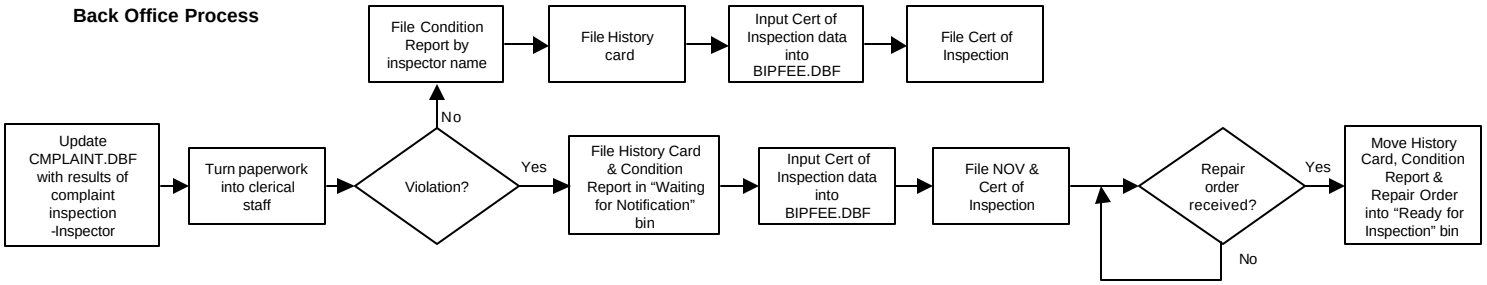
Appendix 1 – Process Maps
Mgmt Audit of LA County ACWM
Map: Device Inspection (page 2 or 2)
9/17/03

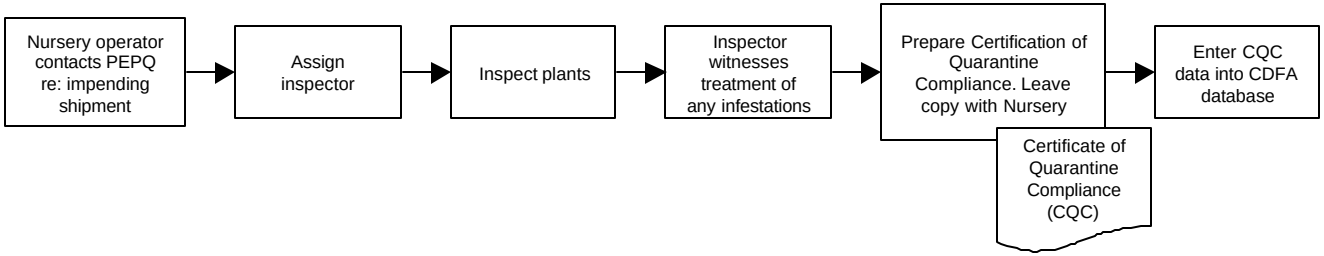
Back Office Process



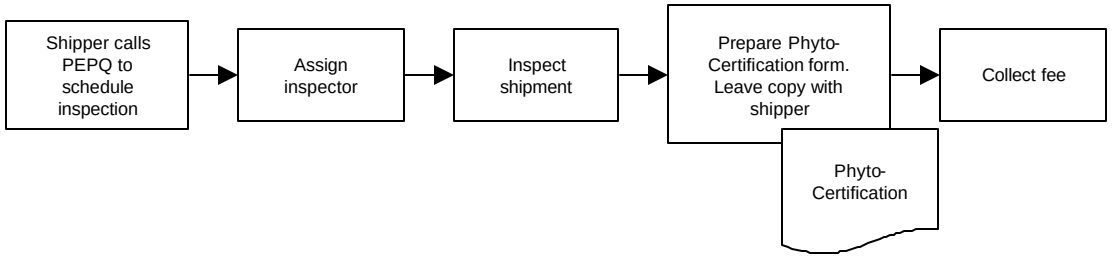
STRATEGICA

Appendix 1 – Process Maps
Mgmt Audit of LA County ACWM
Map: Glassy-Winged Sharpshooter (GWSS) & Phyto-certification
9/4/03

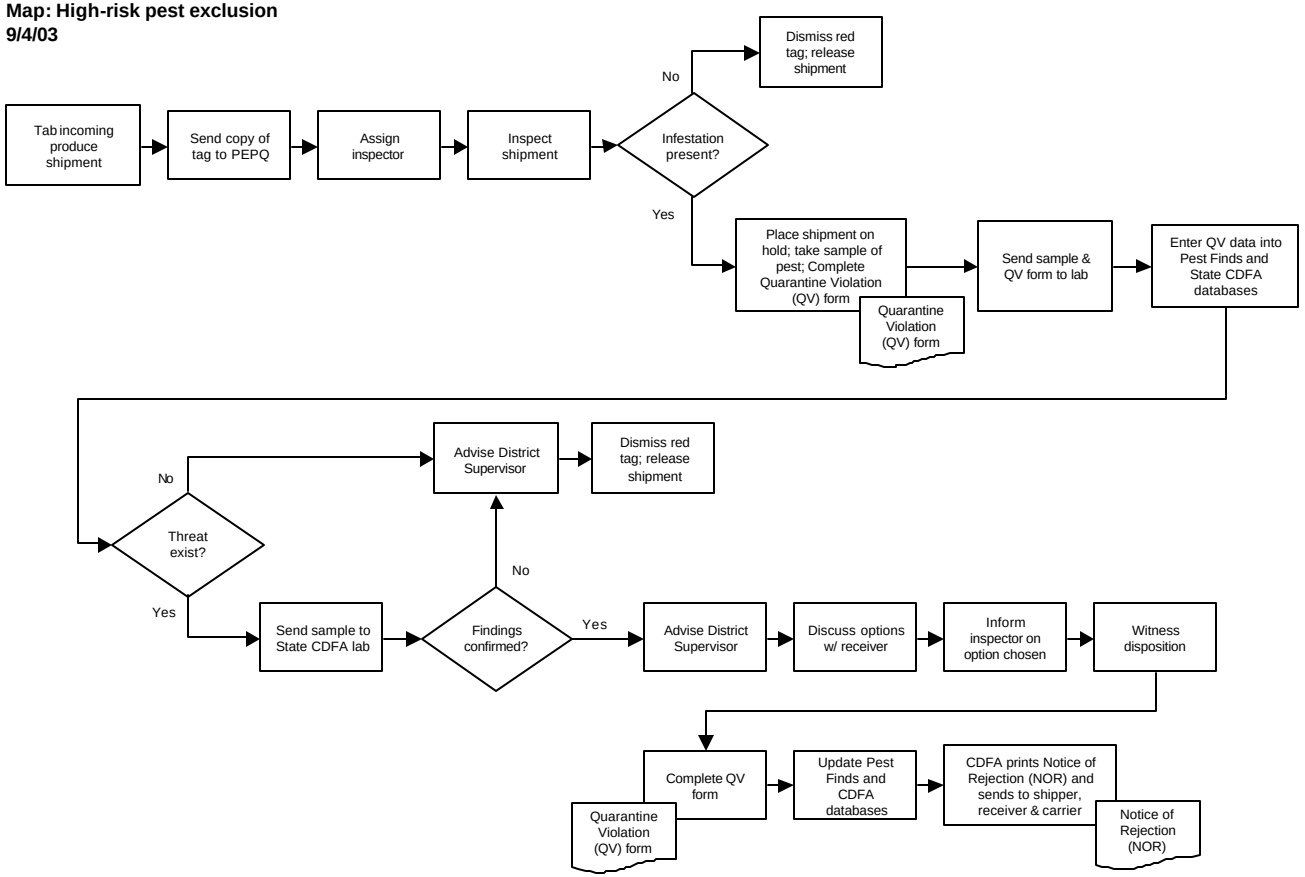
Glassy-Winged Sharpshooter (GWSS)



Phyto-certification of Low-risk pest exclusion



Appendix 1 – Process Maps
Mgmt Audit of LA County ACWM
Map: High-risk pest exclusion
9/4/03



Appendix 2 – Description of Databases
Pesticide Regulation - Databases

File Name	Software used	Record contents	Purpose of database	Notes
STPCO.DBF	dBase (migrating to Access)	Business name, address, manager name, ANOI date, inspection district, branches performed, business #	Tracks registered pest control operators and Annual Notification Of Intent (ANOI) (i.e., registration within County). Also tracks AB1053 payments (i.e., $5 per fumigation)	900+ total entries (operator HQ and branch locations). Currently doing dual data entry into both dBase and Access. Companies report monthly to County along with check for fees.
MSPUR.DBF	Dataflex	Company, # of fumigations	Captures use of chemicals - # of jobs per each type of material used. Produces Monthly Structural Pesticide Use Report – sent to State.	State bases payments to counties on contents of monthly report.
STNOI.DBF	dBase	Company name, fumigation date, fumigation address, chemical to be used	Captures daily Notices of Intent (NOI) to fumigate. Generates daily inspection lists.	Report printed by district – faxed to inspector daily.
STINS.DBF	dBase	Operator #, operator location, date of application, chemical used, inspection hours, miles traveled, NOV data if any	Captures daily inspector activity. Produces data for monthly report (Report 5) to the State on inspection workloads.	Used for branch 1, 2 and 3 inspections
NOV03.DBF	DBase	Company and date	Captures Notice of Violation (NOV) data as it occurs.	Actual NOVs typed up in WordPerfect.
EPISODE3.DBF	dBase	Name of worker, details of episode	Captures pesticide illnesses (i.e., episodes). Produces Incomplete investigations report – used to follow ongoing investigations.	

Appendix 2 – Description of Databases
Pesticide Regulation - major workload activities

Activity	Frequency	Currency of data/backlogs	Databases used to record	Notes
Annual Notice of Intent (ANOI)	Annual	Current	STPCO.DBF	
1053 Reporting – # fumigations performed	Monthly	Unkown	STPCO.DBF	
Notices of Intent (NOI)	Daily	Current	STNOI.DBF	
Inspections	Daily	Current	STINS.DBF	Findings recorded on Use Monitoring Inspection forms
Notices of Violation (NOV)	As needed	Current	NOV03.DBF	
Notice of Proposed Action & Stipulation (NOPA)	As needed	Status of resolutions unknown	Paper logs	NOPAs prepared in WordPerfect
Closed cases	As needed	Current	Paper logs (2)	Closed cases recorded in a log book and on a separate form.
Episodes	As needed	Unkown	EPISODES.DBF	Episodes are worker safety incidents. Investigated by ACWM.

Appendix 2 – Description of Databases
Weed Abatement - Databases

File Name	Software used	Record contents	Purpose of database	Notes
DRG01.DBF	dBase	Parcel numbers corresponding to declared parcels	Used to add & remove parcels from the Assessor database	Interface with Assessor roll
TAX.DBF	dBase	Complainant, parcel #, address, amount challenged, parcel status, tax year	Records tax complaints. Used to print complaints (for inspectors to follow up with) and reports of unresolved complaints.	
HAZ.DBF	dBase	Complainant, parcel #, address, amount challenged, parcel status, tax year	Records weed hazard complaints. Used to print complaints (for inspectors to follow up with) and reports of unresolved complaints.	Structure similar to TAX. DBF
410.DBF	dBase	Date received, parcel and zone #, fire station #, Fire inspector name, dates of letters sent (from Fire dept.), clearing status, date cleared	Used to track fire dept. referrals	
RESP.DBF	dBase	Name, address, status of parcel, intent of owner re: clearing, preference re: use of herbicide	Collects info on declared parcels from response cards sent in from owners	
JRMOD2K.MDB	Access	Labor hours, equipment hours, quantity of chemicals used, parcel #, job date	Captures information about clearing operation. Used to produce direct-bill invoices and charges to tax roll	

Appendix 2 – Description of Databases
Weed Abatement - major workload activities

Activity	Frequency	Currency of data/backlogs	Databases used to record	Notes
Add/remove parcels from declared status	As needed.	Current	DRG01.DBF	Inspectors use "drag sheets" to record adds and removals. ACWM produces a diskette from DRG01.DBF and sends to Assessor to update assessor roll
Produce parcel worksheets	Annual	N.A.	Assessors database	Printed from a download from the Assessor roll
Tax complaints	As needed	Unknown	TAX.DBF	Owners complain about tax bill. Charges on bill can pertain to prior year's clearing job.
Hazard complaints	As needed	Unknown	HAZ.DBF	Citizens complain about parcels with fire hazards (i.e., neighbors)
410s	As needed	Unknown	410.DBF	Fire department sends referrals to ACWM for parcels that improved parcel owners fail to clear. Source doc is an "inspection report" from the Fire dept.
Parcel inspection	Daily	Unknown	None	Inspection findings are not entered into a database. Findings recorded on maps and parcel worksheet. Impossible to determine backlogs.
Addendums to declaration list	Each February	Current	WordPerfect file	Add parcels after Assessor's cutoff date for declarations on new parcels.
Weed Abatement Notice	Annual	Current	Assessor	Notices (cards) are sent out from Assessor's office. Cards contain tear-off response cards.

Appendix 2 – Description of Databases
Weed Abatement - major workload activities

Activity	Frequency	Currency of data/backlogs	Databases used to record	Notes
Weed Abatement Notice response	Annual – must be returned by March 15.	Current	RESP.DBF	Responses to Assessor notices. Informs ACWM re: owners intent and preferences and status of parcel (sold? Landscaped?)
Weed/brush letter	As needed	Current	Wordperfect template	Letters to parcel owner if clearing estimate is over $750 or in response to 410 referral. Assessor Notice serves as proper notice for most declared parcels. Has deadline for clearing parcel or else County will do it.
Blue Deadline Card	As required by owner responses	Current	None	Sent out to owners who returned Notice Response with deadline for clearing parcel.
Job reports	As needed	Current	JRMOD2K.MDB	Used to produce billing data – either for direct-bill invoices or charges posted to Assessor roll
Request for Weed/Brush Letter	As needed	Current	Wordperfect file	Prepared by Inspectors and sent to office staff – used to produce Brush/Weed letters.

Appendix 2 – Description of Databases
Price Verification / Scanners - Databases

File Name	Software used	Record contents	Purpose of database	Notes
SCANNERS.MDB	Access	Vendor name, address, ID code, type of business, # of scanners, date of last inspection	Used to register stores and # of scanners	8,000+ total entries. Remaining databases are subsets of SCANNERS.MDB
TBLTTC	Access	ID #, fee amount, name, address, central billing ID #	Used to send billing data to T&TC	T&TC prints and sends invoices & scanner registrations to stores. Stores return bottom portion of w/ check to T&TC
TBLBILLING	Access	ID #, name, address, type of business, # of scanners, fee, central billing ID#, amt received, date received, penalty	File that is updated with payment and billing info from T&TC download file.	
TBLPAYHIS	Access	ID #, amt received, date received,	File that is updated with payment info from T&TC download. Tracks individual payment amounts	
TBLVIO	Access	ID #, inspection date, inspector, inspection hours, complaint #, NOV issued (y/n), criminal complaint (y/n), # items inspected/under-overcharged, amount under-overcharged, total value, violation #	Captures data from Sales Price Report (whether violation found or not)	Actual NOVs typed up in WordPerfect.
PROSEC.DBF	dBase	Report #, defendant name & address, store name, date of offense, section violated, case #, arraignment date, trial date, inspector name	Used to generate criminal prosecution documents and record results	Generates a WordPerfect letter – sent to vendor. Also used in BPI program
CMPLAINT.DBF	dBase	ID#, date received, complainant name & address, product info, business name & address, allegation info	Capture complaints & produce complaint reports. Capture results of complaint investigation.	Inspectors take complaints on calls & record results. File also used in BPI and Devices.

Appendix 2 – Description of Databases
Price Verification / Scanners - major workload activities

Activity	Frequency	Currency of data/backlogs	Databases used to record	Notes
Scanner registration	As needed	Unknown if all stores and scanners are registered. Inspectors find new stores during rounds.	SCANNERS.MDB	Inspectors use Business Change Request Form to log new businesses
Location inspection	Daily	Program is new. Backlogs have not materialized yet but program is on pace to get behind.	TBLVIO	Inspection date is captured on Sales Report form. D/E handled by Luchieh Lee in SG
Registration billing	Semi-annually	Current	TBLTTC	Table generated from MDB. Uploaded to T&TC database. T&TC sends out Registration billings/certs. Store returns bottom portion.
Registration payments	Daily	Unknown – handled by T&TC	TBLBILLING	Updated from T&TC download. Traci Cooper in SG handles receivables. T&TC will send out delinquencies at 120 days. Goes to collections at 360 days.
Violations	Daily	Unkown	PROSEC.DBF	Used for scanner violations over $1.00. Fine amount logged in PROSEC.DBF.
Fine recoveries	As needed	N.A.	PROSEC.DBF	Fines recovered through court system. Recoveries logged in PROSEC.DBF.
Complaints	As needed	Unknown	CMPLAINT.DBF	Received from citizens. Followed up by inspectors during daily rounds.

Appendix 2 – Description of Databases
Devices - Databases

File Name	Software used	Record contents	Purpose of database	Notes
BIPFEE.DBF	dBase	Store ID#, name, address, fee amount, issue date, district #, amount paid, penalty amount (if late), central billing ID#, device type and number of devices	Registers business locations using scales or meters. Produces District Printouts used by inspectors on daily rounds. Produces file extract for billing – sent to T&TC. Records inspection dates.	Key database for businesses.
CMPLAINT.DBF	dBase	ID#, date received, complainant name & address, product info, business name & address, allegation info	Capture complaints & produce complaint reports. Capture results of complaint investigation.	Inspectors take complaints on calls & record results. File also used in BPI and Scanners.

Appendix 2 – Description of Databases
Devices - major workload activities

Activity	Frequency	Currency of data/backlogs	Databases used to record	Notes
Store registration	As needed	Unknown if all scales and meters are registered. Inspectors find new locations during rounds.	BIPFEE.DBF	
Routine inspections	Daily	Unkown	BIPFEE.DBF	D/E handled by Luchieh Lee in SG
Reinspections "surveys"	Daily	Unkown	BIPFEE.DBF	Set up for XX days after violation found. Separate bin of condition reports/Cert of Inspection forms awaiting return visit.
Registration payments	Daily	Unknown – handled by T&TC	BIPFEE.DBF	Updated from T&TC download. Traci Cooper in SG handles receivables. T&TC will send out delinquencies at 120 days. Goes to collections at 360 days.
Violations	Daily	Unkown	None	Violations do not result in fines. Devices are sealed as "out of service" and set up for reinspection after owner gets device repaired.
Complaints	As needed	Unknown	CMPLAINT.DBF	Received from citizens. Followed up by inspectors during daily rounds.

Appendix 2 – Description of Databases
BPI - Databases

File Name	Software used	Record contents	Purpose of database	Notes
QCISTORE.DBF	dBase	Store #, name, address, district #, type of store, type of inspection	Records basic info on store for meat audits	
QCIVIOL.DBF	dBase	Store #, violation type, violation date, description of violation	Records info on meat audit violations	
GENSTORE.DBF	dBase	Business #, store category, product type	Records info on store/business for quantity control audits	
GENVIOL.DBF	dBase	Business #, Violation type, violation date, notes	Records violations for quantity control audits	
GENVISIT.DBF	dBase	Store #, visit date, offsale notes	Records info on QC visits	
GENHIST.DBF	dBase	Store #, name, address, product info, visit date, violation info	Prints QC violation history on a specific store	
TSTSTOR.DBF	dBase	Store #, name, address	Records info on business for test-to-sell audits	
TSTFIND.DBF	dBase	Store #, finding date, finding description	Records info on test-to-sell inspections (recycler audits)	
CMPLAINT.DBF	dBase	ID#, date received, complainant name & address, product info, business name & address, allegation info	Capture complaints & produce complaint reports. Capture results of complaint investigation.	Inspectors take complaints on calls & record results. File also used in scanners and Devices.

Appendix 2 – Description of Databases
BPI - major workload activities

Activity	Frequency	Currency of data/backlogs	Databases used to record	Notes
Store registration	As needed	Unknown if all stores and businesses are registered. Inspectors theoretically find new businesses during rounds.	CQISTORE.DBF, GENSTORE.DBF, TSTSTOR.DBF	
Certification of Inspection	Daily	Unknown	GENVISIT.DBF, TSTFIND.DBF	
Violations	Daily	Unkown	QCIVIOL.DBF, GENVIOL.DBF	Most violations do not require follow-up. Short weight or mis-labeled items are ordered offsale. Test purchases result in fines.
Fine recoveries	As needed	Unknown	None	Not known how fines are collected.
Complaints	As needed	Unknown	CMPLAINT.DBF	Received from citizens. Followed up by inspectors during daily rounds.

Program	Funding mechanism	Sufficiency of funding[1]	Funding source	Program mandate	Possible options/notes
High Risk Pest Exclusion	State contract	Program operated at gain of $426,000	Reimbursement from dedicated state funds for estimated costs of program activities FAC 2282.5	Mandated pursuant to FAC 5101 and 2282.	Note: Excess funds may only be expended for high-risk exclusion activities or scientific evaluation
Low Risk Pest Exclusion	State contract	Program operated at a loss of $316,000	Reimbursement from dedicated state funds for estimated costs of program activities FAC 2282.5	Mandated pursuant to FAC 5101 and 2282.	
GWSS	State contract	Program operated at a loss of $31,000	Reimbursement from state general fund and money from industry sources to cover costs of program activities. FAC 6046	CCR Title 3, Sec. 3651 says program to be conducted by "local public entity" designated by Supervisors	
Produce Inspection	Fees for service	Program operated at a loss of $559,000	Maximum fees set by statute (FAC 43061)	FAC 42791 suggests this function is provided at the discretion of the commissioner.	• Subcontract

[1] Information in this column taken from Target Budget 2003-04, unless noted otherwise and refer to 2002-03 actuals. NCC amounts include allocation of Bureau overhead.

Program	Funding mechanism	Sufficiency of funding[1]	Funding source	Program mandate	Possible options/notes
Nursery / Seed Law	State contract	Program operated at a loss of $42,000	State reimburses at set amounts for required activities	FAC 52331 says CDFA director must ensure seed inspection by regulation and establish reasonable fee for services. FAC 52324 says the program is optional for counties. CCR Title 3, Sec 3060 says nursery inspection has to be AC staff OR an equally certified AC representative. FAC 6901 says CDFA director must ensure by regulation that nurseries get inspected for cleanliness. CCR Title 3, Sec 3060 says nursery inspection has to be AC staff OR an equally certified AC representative	• Subcontract • Turn over to state
Pest Detection	Contract with CDFA	Program operating at a loss of $12,000.	State-funded through contract with County. Historically some County NCC.	Program is performed under contract with the CDFA. County may opt out of the program.	• State may use portion of unclaimed gas tax revenue to reimburse counties for certain personnel costs not currently covered. • Horton Bill (AB185) may force County to drop program or upgrade benefits for all P/T trappers.
Pesticide Regulation	Contract with State Dept of Pesticide Regulation	Program operating at a loss of $268,000	Contract w/ CDPR. Funding predicated on annual work program prepared by County.	FAC 2281 authorizes Commissioner to enforce State law including Division 6 of FAC which covers pest control operations. Title 12, Chapter 24 of the County Code covers miscellaneous regulatory duties of Ag Commissioner.	

Program	Funding mechanism	Sufficiency of funding[1]	Funding source	Program mandate	Possible options/notes
Devices	Fees assessed on owners of weighing and measuring devices	Program operating at a loss of $549,000.	Fees established by Board of Supervisors. Maximum fees established by State Legislature.	Division 5 of the Business & Professions Code grants authority to County Sealers to test weights, meters, and scales. Regulations found in Chapters 5, 7 and 14. Board of Supervisors establishes annual device fees subject to limits described in Sec 12240.	• NCC amount is deceptive. Some devices revenue is used to support BPI. Devices program would operate at a net gain if all revenues were attributed.
Business Practices Investigation	County funded; Some minor State funding	Program operating at a loss of $147,000.	Program partially funded by device registration fees.	Division 5 of the Business Professions Code grants authority to County Sealers to enforce pricing, labeling, packing laws as found in Chapters 2, 6 and 6.5	• Program is under-funded and suffers from lack of dedicated revenue source.
Price Verification	Fees assessed on owners of scanners	Program operating at a gain of $357,000.	Annual device registration fee assessed against retailers, grocers, etc. Fees set by Board of Supervisors	County Ordinance 2.41 authorizes program, administration by the Agricultural Commissioner and establishes registration, revenue collection, inspection and enforcement mechanism. Support for Ordinance is Division 5 of Business & Professions Code, Chapters 2 and 13.	
Weed Abatement	Property assessments	Program operating at a gain of $436,000.	Assessments included in annual property tax assessment; Inspection fees established by Board of Supervisors.	Title 32 of County Code authorizes Agricultural Commissioner to enforce clearance of hazardous growth. Section 1117.2.2 et seq describe procedures, rights of property owners, etc.	• Potential to acquire brush control functions of County Fire Dept.

Program	Funding mechanism	Sufficiency of funding[1]	Funding source	Program mandate	Possible options/notes
Pest / Weed Control	User fees	Program operating at a loss of $182,000.	User fees. Agencies and residents billed for services rendered. Hourly rates established by Department.	Government Code 25842 provides discretionary authority for counties to control destructive pests. Title 2 of County Code authorizes Commissioner to control pests. Services provided under contract to County agencies or residents.	• ACWM has greater capability to handle critter control than County Animal Control – which is more focused on spaying, adoption, shelters, etc. • Fees should be examined and updated.
Environmental Toxicology	User fees	Program operating at a loss of $387,000.	User fees	Board orders in 1973 & 1987	• Lab competes with private labs for some services. • Other public health laboratory functions handled by the Dept of Health Services. May be able to merge operations. • Rates may not be adequate to cover cost.
Metrology Lab	User fees	Program operating at a loss of $47,000.	User fees.	Mandated in County Code	• Only $15,000 of total lab revenue of $140,000 attributable to testing County standards – remainder is commercial work. • Lab is currently decertified due to loss of certified metrologist. Currently advertising for position.

APPENDIX 4 - GLOSSARY

410 Referral	A transaction whereby personnel from a County Fire Department station refer an uncleared hazardous parcel to the BCU or the ACWM for more intensive monitoring and/or clearance.
ACWM	Los Angeles County Agricultural Commissioner – Weights and Measures
BCU	Brush Clearance Unit – a unit of the LA County Fire Deparment.
BIPFEE	The name of the database that stores information on businesses using scales and meters.
BPI	Business Practice Investigation – a unit within ACWM dedicated to enforcing labeling and packaging laws.
Buyer Beware	A program created to register and regulate automated retail checkout devices (i.e., checkout scanners).
CDFA	California Department of Food and Agriculture
CDPR	California Department of Pesticide Regulation
Declared Parcel	A parcel of land that is “declared” by the Board of Supervisors to be a fire hazard due to the growth of weeds and brush.
Devices	In the ACWM context, devices refers to measuring devices used in commercial settings such as grocery store scales, gas pumps and utility meters.
District Card	6” x 8” cards used for recording inspection and violation data on scales and meters.
GIS	Geographic Information System. A computer system that tracks parcel boundaries and characteristics about parcels, land uses and characteristics about land.

GPS	Geographic Positioning System. A device that allows the user to accurately determine their location based on satellite navigation.
GWSS	Glassy-Winged Sharp Shooter – an insect that is a vector for a destructive plant disease
KIVA	A computerized permit tracking and case management system sold by the Accela Corporation.
NCWM	National Conference on Weights and Measures – an industry group that promulgates rules and standards pertaining to weights, scales, meters and other measuring devices.
NOI	Notice of Intent – used by fumigation contractors to notify the ACWM of an impending fumigation job.
NOV	Notice of Violation
PEPQ	Pest Exclusion and Produce Quality – a unit within ACWM dedicated to protecting the State's agricultural industry and consumers through preventing the introduction of agricultural pests and enforcing standards for agricultural products sold to consumers.
RFID	Radio Frequency Identification – an emerging technology for labeling products. RFID may eventually replace bar codes.
RIFA	Red Imported Fire Ant
T&TC	Treasurer and Tax Collector
W&M	Weights and Measures

COUNTY OF LOS ANGELES

Department of
Agricultural Commissioner/
Weights and Measures

Cato R. Fiksdal
Agricultural Commissioner/
Director of Weights and Measures

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Robert G. Atkins
Chief Deputy

March 22, 2004

J. Tyler McCauley
Department of Auditor-Controller
525, Kenneth Hahn Hall of Administration
500 W. Temple Street
Los Angeles, CA 90012

Dear Mr. McCauley:

INTERIM RESPONSE TO MANAGEMENT AUDIT

We have reviewed the Management Audit of the Agricultural Commissioner/Weights and Measures Department, and offer the following comments:

We generally concur with many of the findings and recommendations. We also are encouraged that the document recognizes the department's continued service excellence in most programmatic areas despite budget curtailments and staff shortages. The report also highlights critical areas where major funding commitments may be required to successfully achieve the Board of Supervisors' goals and objectives to provide the highest quality service to the citizens of Los Angeles County.

A number of actions suggested in the audit have already been initiated and are in the process of being implemented. Additional actions will be taken as the result of our Strategic Plan and Board direction. As we noted in our response, some of the actions involving staffing, consultants, reallocation of resources or compensation issues will require Board approval prior to implementation.

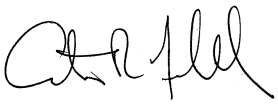
The department enjoyed a productive working relationship with the Auditor-Controller during the course of the management audit and we thank all your staff involved in its preparation.

We appreciate the management review performed by Strategica and the Auditor-Controller's audit team and look forward to working with the Chief Administrative Office and the Board of Supervisors to identify priorities and resources necessary to implement the audit's recommendations.

The department will provide a detailed response to the Board in 90 days, including a strategy to implement the appropriate recommendations and, when possible, an estimate of the additional resources that will be needed to implement corrective actions.

Please call me if you have any questions. If I am not readily available, your staff may contact Mr. Robert Atkins, Chief Deputy, at 626.575.5453.

Sincerely,



Cato R. Fiksdal

Agricultural Commissioner/
Director of Weights and Measures

CRF:RGA:nm

Attachment

c:

Board of Supervisors
Board Deputies
David Janssen, CAO
Violet Varona-Lukens, Executive Officer